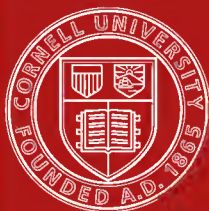


A CONSUL'S MANUAL
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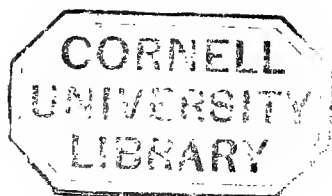
LONDON : C. KEGAN PAUL & CO., 1, PATERNOSTER SQUARE.

A CONSUL'S MANUAL
AND
SHIPOWNER'S AND SHIPMASTER'S
PRACTICAL GUIDE
IN THEIR TRANSACTIONS ABROAD.

WITH DEFINITIONS OF NAUTICAL, MERCANTILE, AND LEGAL TERMS;
A GLOSSARY OF MERCANTILE TERMS
IN ENGLISH, FRENCH, GERMAN, ITALIAN, AND SPANISH;
TABLES OF THE
MONEY, WEIGHTS, AND MEASURES OF THE PRINCIPAL COMMERCIAL NATIONS,
AND THEIR EQUIVALENTS IN BRITISH STANDARDS;
AND FORMS OF CONSULAR AND NOTARIAL ACTS.

COMPILED BY
L. JOEL,
OF HER MAJESTY'S CONSULAR SERVICE.

LONDON:
C. KEGAN PAUL & CO., 1, PATERNOSTER SQUARE.
1879.



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TO
SIR EDWARD HERTSLET, C.B.,
LIBRARIAN, AND KEEPER OF THE PAPERS, FOREIGN OFFICE,
WHOSE LITERARY LABOURS IN CONNECTION WITH THE
PRIVILEGES AND INTERESTS OF BRITISH SUBJECTS ABROAD,
AND OF FOREIGNERS IN THE BRITISH DOMINIONS,
HAVE BEEN SO WIDELY RECOGNIZED,
THIS WORK
IS,
WITH SINCERE ESTEEM,
INSCRIBED.

PREFACE.



MY object in compiling this work has been to place in the hands of my Colleagues a book of ready reference, and in those of the British Shipmaster such information as he could only acquire by experience and a careful study of the Acts of Parliament relating to Merchant Shipping and Seamen.

L. J.

LONDON, 1879.

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PART I.
CONSULAR.

A CONSUL'S MANUAL.



INTRODUCTORY.

OF THE CONSULAR TITLE AND ATTRIBUTIONS.

THE title of Consul was created by the Romans when the sovereign authority was confided to two magistrates, who were elected annually. Julius Cæsar, B.C. 46, discarded the title of Consul for that of Dictator; and from that time it does not appear to have been again used by the Romans, except as an additional honour conferred on some of its nobles during the Empire. It is not until the tenth century that we again find mention of the title, when it was conferred on persons who were authorized to act as magistrates for the decision of commercial and mercantile questions.

From the chronicle of Pisa, it appears that a magistracy was established in that republic, during the tenth century, for the decision of all commercial and mercantile questions. The magistrates were called consuls of navigation, and the authority of

the court was recognized by Gregory VII.* In a statute of Pisa, enacted in the year 1161, we find the word *consulate* expressed.

Baluzio† says that the first consulate of the Middle Ages was established in the town of Messina, by Roger I., King of Sicily, who referred all maritime and mercantile affairs to the direction of two consuls, whose decisions were enforced by authority.

Guy de Lusignan, who retained some possessions in Palestine, granted to the Marseillaise the right of choosing consuls for the purpose of representing the community and deciding all questions between them and foreigners; and about the same time Modena and Lucca had reciprocal consular establishments.

The origin of the celebrated work called “*Consolato del Mare*” is still a subject of discussion and doubt. Azuni and other writers attribute it to the Pisans, who were largely engaged in commerce during the Middle Ages. Boucher supposed that it had its origin amongst the merchants of Barcelona; while Giovanne‡ states that the Catalans, Arragonese, Pisans, and Genoese formed a code of statutes, known by the title of “*Consolato del Mare*,” for the decision of all questions relating to commerce and navigation. Piantanida,§ in his work on maritime jurisprudence, tells us that it was acknow-

* Azuni, *Système du Droit Maritime*, vol. i. p. 103.

† Brev. Hist. Liberat Missanæ, tom. vi. p. 174.

‡ Storia Civile del Regno di Napoli.

§ Vol. i. p. 1.

ledged as law at the following places and respective dates :—

	A.D.		A.D.
Rome	1075	Almorla	1174
Acre	1111	Genoa	1186
Majorca	1112	Rhodes	1190
Pisa	1118	Morea	1200
Marseilles	1162	Venice	1215

The utility of this work appears to have been universally recognized, and it was adopted by all the maritime powers of Europe. It was first printed in Venice by Jean Baptisto Pedrizano, under the title of “*Il Libro del Consolato di Marinari*,” and he dedicated it to Tomas Zarmora, then consul at Venice for the Emperor Charles V. Another edition was issued in the year 1567, which was used by the tribunals of the grand admiral of the kingdom of Naples.

During the twelfth century, the Italians, then known by the name of Lombards, created a number of consulates for the decision of commercial questions and the due observance of treaties and conventions. In the same century the Venetians had consuls at Aleppo, Alexandria, and Jerusalem, whose duty it was to maintain the rights and privileges granted to the republic by the sultans of Egypt, the emperors of the East, and the kings of Jerusalem. The consuls were generally selected from the class of poor, though enlightened, nobles, whom the senate allowed to remain in office during life.* The Franks, who

* Amelot de la Houssaye, *Histoire du Gouvernement de Venice*, vol. i. p. 144.

at an early period carried on an extensive commerce, had consuls in the Levant, whose decisions were subject to revision by a superior tribunal.

James I., King of Arragon, granted by charter, A.D. 1266, to the municipal magistracy of Barcelona, free powers to appoint consuls in the countries beyond the seas, in Syria and in Egypt, who took oath of office and were accountable to the council. In the archives of Barcelona there exists a work entitled "Bolsas del Cancell, Ordinaciones y Letres," A.D. 1301, which contains the form of oath taken by the consuls of that city. Capmany, in his work on the maritime commerce of the city of Barcelona,* has inserted a copy of the instructions furnished to the consuls of the Catalans at Alexandria and Syria, A.D. 1381, by the maritime consuls and a body of merchants at Barcelona. The consuls, who were elected for three years, were restricted from selling wine on their own account, or on account of any person with whom they were connected; they were personally to assist at the payment of duties on merchandise, and when they visited the governor or attended the exchange, they were to be accompanied by two gentlemen ushers in livery.

The consular court of Burgos was established during the reign of Ferdinand and Isabel, A.D. 1492. All the Spanish factories in Europe were under its jurisdiction, and the agents rendered to it an account

* *Memorias Historicas sobre la Marina Comercio y Artes della antigua Ciudad de Barcelona.*

annually at the great fair of Medina del Campo. Philip II., King of Spain, A.D. 1593, established consular courts in the cities of Mexico and Lima, to take cognizance of all commercial and maritime cases, and the viceroy was appointed judge of appeals.

In the sixteenth century the Dutch stipulated, in their treaties of peace and commerce, that neither the person nor property of their consuls should be molested. For their support of Albert, King of Sweden, against Magnus, they obtained, after his fall, certain privileges in the Island of Schowen; amongst others, the recognition of the right of protection by the consul, and his administration of justice in certain cases.

Lewis Roberts, in a work called "The Merchant's Map of Commerce," published in London in 1638, says, "The pope doth, for trade sake, allow a gentleman at Civita Vecchia the title of consul for the English nation, to see that mariners, who are apt enough to give offence, be not wronged or abused."* "The Levant company maintain at present, and pay salary to, six consuls in six several places, and to wait upon these and their factors they give pay to forty *janisaries* and twenty *druggermen* or interpreters."† "This company settled a consul in Aleppo, and a vice-consul in Tripoli, with the titles of Syria and Cyprus; they also placed another consul at Chios, intituled of Chios, Smyrna, and the Arches, and another consul since in Algier, and another in Tunis;

* Page 63.

† Page 197.

and the last in Petrus in Morea, strengthened with command from the port and durano of the Grand Seignior, not only for their peaceable living, but also for the quiet enjoying of their privileges granted unto them as above is said.”* “The English, French, and Venetians have at Cilicia, or Scanderoon, their vice-consuls to protect their merchants, goods, and ships.”†

The treaty between Great Britain and Tripoli, signed at Tripoli on the 5th of March, 1676, stipulates: “Article XX. That no subject of the King of Great Britain, etc., shall be permitted to turn Turk or Moor in the city and kingdom of Tripoli (being induced thereto by any surprisal whatsoever) unless he voluntarily appear before the dey or governor with the English consul’s druggerman three times in twenty-four hours’ space, and every time declare his resolution to turn Turk or Moor.”‡

The treaty between Great Britain and Morocco, signed at Salé, the 8th of April, 1791, stipulates: “Article II. The English consul residing in the emperor’s dominions shall be treated at all times with the respect and civility due to his character. His person and house shall be inviolable, and if any person injures or insults him by word or deed, he shall be severely punished. He shall have liberty to choose his own interpreters and servants, either Musselmen or others, who are not to pay the poll-

* Page 190.

† Page 116.

‡ Hertslet’s Commercial Treaties, vol. i. p. 133.

tax, or any tax or contribution whatsoever ; he shall be allowed a place to pray in ; he shall have liberty at all times of hoisting his Majesty's flag on the top of his house, either in town or country, and in his boat when he passes on the water ; he shall not pay duty for his furniture, clothes, baggage, or any other necessaries which he imports in the emperor's dominions, for the use of himself or his family ; and if the nature of the service, or any other motive, require his absence from Barbary, neither himself, his servants, baggage, or effects, shall be stopped or detained upon any pretence whatever, but shall have free leave to go and to return as often as he may think necessary ; and all honours and privileges that are now, or may hereafter be, granted to the consul or deputy of any other power, shall likewise be granted to the English consul and his deputy.”*

During the eighteenth century the necessity of the presence of a consular officer at places of commercial importance, for the promotion of trade and the more effectual protection of persons and property, appears to have been generally recognized by the maritime powers of Europe, and they stipulated by treaty for the right to appoint them. The consuls so appointed were authorized by commission to protect the commerce of the nation whose affairs were intrusted to their care, to aid by their advice and to watch over the subjects of the state appointing them ; but, except with the Mahommedan states, the powers

* Hertslet's Commercial Treaties, vol. i. p. 113.

and rights of consuls were not definitely defined by treaty, nor have they subsequently been, except with China and Japan.

The enormous proportions which commerce has assumed during the present century, and its recognition as the mainspring of a country's greatness, has rendered governments vigilant in the protection of the commercial interests of their country, and ever anxious to adopt all legitimate means for its promotion. To this end, recourse has, of late years, been had to commercial conventions or treaties, wherein the contracting parties concede certain reciprocal advantages; and the further development of this system will, probably, eventually lead to a universal recognition of the benefit of freedom in trade.

The rapid development of maritime commerce, since the introduction of steam, has demonstrated the necessity and desirability of clearly defining the powers and rights of consuls, which, except in the Mahommedan states, China, and Japan, rest on the vague wording of treaties. With this object in view, some of the maritime powers have entered into consular conventions, in which are clearly laid down the powers and rights which the consuls of the contracting parties shall reciprocally enjoy. The great utility of this measure is so obvious that it will, probably, be universally adopted. The gigantic trade, commerce, and navigation which British enterprise has created and actively pursues in every part of the habitable globe, renders it peculiarly

desirable, especially at this period of energetic competition, that these most important interests should be jealously guarded, and every facility afforded for their further development, in the accomplishment of which the consul who zealously performs his duties would be an important factor.

CHAPTER I.

OF THE QUALIFICATIONS OF A CONSUL.

THE qualifications for a British consul, according to existing regulations, are as follows :—

“Persons selected for the consular service—whenever the circumstance of their being resident in England on their first appointment, or of their passing through England on their way to take up such first appointment, may admit of their being subjected to examination—will be expected to satisfy the Civil Service Commissioners :—

“1st. That they have a correct knowledge of the English language, so as to be able to express themselves clearly and correctly in writing.

“2nd. That they can write and speak French correctly and fluently.

“3rd. That they have a sufficient knowledge of the current language, as far as commerce is concerned, of the port at which they are appointed to reside, to enable them to communicate directly with the authorities and natives of the place : a knowledge of the German language being taken to meet this requirement for ports in Northern Europe ; of the Spanish or Portuguese language, as may be deter-

mined by the Secretary of State, for ports in Spain, Portugal, Morocco, and South or Central America; and of the Italian language for ports in Italy, Greece, Turkey, Egypt, and on the Black Sea or Mediterranean, except those in Morocco and Spain.

“4th. A sufficient knowledge of British mercantile and commercial law to enable them to deal with questions arising between British shipowners, shipmasters, and seamen. As regards this head of examination, candidates must be prepared to be examined in Smith’s ‘Compendium of Mercantile Law.’

“5th. A sufficient knowledge of arithmetic for the nature of the duties which consuls are required to perform in drawing up commercial tables and reports. As regards this head of examination, candidates must be prepared to be examined in Bishop Colenso’s ‘Arithmetic.’

“Moreover, all persons on their first nomination to consulships, and after having passed their examination before the Civil Service Commissioners, will be required, as far as practicable, to attend for at least three months in the Foreign Office, in order that they may become acquainted with the form of business as carried on there.

“Limit of age for candidates: twenty-five to fifty, both years inclusive.”

These are merely the scholastic qualifications which he must satisfy the Civil Service Commissioners he possesses before his appointment to a

salaried post. But a consul, to be an efficient officer, should, in addition to these requirements, possess special qualifications and attainments to enable him properly to discharge the important and multifarious duties of his office. He should be courteous and prudent, free from passion, and firm in resolution. He should possess habits of thought and industry, for it is his duty not only to acquire such information as may be of service to his countrymen in arts, commerce, and manufactures, but also to impart it. He should be without prejudice, and his mind should be so balanced as to enable him justly and fairly to decide all questions submitted to him. He should be well versed in the law of nations, and should make himself thoroughly acquainted with the laws, municipal ordinances, and the tariff of the place to which he is appointed. He should be polite and circumspect in his intercourse with the authorities of the port or place of his residence, as his usefulness to his countrymen in cases of emergency, especially in places distant from the great capitals and commercial centres, will frequently depend upon the personal influence he may acquire, apart from the powers and privileges conceded to him by usage, or secured to him by treaty.

In no branch of the Civil Service are the duties more onerous or important, or is there so much required, as of a consul, who, whether near or far from home, is frequently placed in a position of great responsibility, demanding his immediate action

without the possibility of obtaining the counsel and advice of his superiors. In no department of the State are services involving so much responsibility so rarely recognized and so seldom rewarded. In the fulfilment of his duties the consul has, not infrequently, to encounter risk to life.* During war, revolution, and pestilence, when all who can, seek a place of safety, the consul remains at his post, and he daily and hourly faces death, in the insidious form of a malignant epidemic, with as much coolness and courage as would win renown in the face of an armed foe; yet for him there are no medals, no rewards; and on the rare occasions where honours are meted out to consuls, they are generally conferred after a life's exile, when, worn out from long service, they are too near the grave for their enjoyment.

Having reviewed the qualifications necessary for a consul, it should be stated that there is, on the other hand, what is generally looked upon as a serious disqualification, and it is the engagement of a consul in commercial pursuits, even when permitted by his Government, as it is considered to be incompatible with the efficient discharge of his duties that he should, at the same time, be engaged in trade. De Cussy, Pardessus, Borel, Professor Neumann, Warden—in fact, all the accepted authorities are unanimous on

* The writer, on more than one occasion, has had to remain at his post during yellow fever epidemics, when all who could left the place. During a revolution he was deliberately fired at by a soldier whom he had some time previously prosecuted for ill-treating a British subject; and, on another occasion, he narrowly escaped death while protecting an English gentleman from outrage at the hands of the guardians of the public order.

this subject, and the reasons they assign are so cogent that I subjoin a few extracts.

Warden says, "To be useful to his country in arts, sciences, and manufactures, a consul must have no commercial engagements. Services of this kind cannot be expected from, as they cannot be performed by, him whose mind is absorbed in the pursuit of gain. The consul must not only love, but must also have time to communicate, knowledge. His conduct and usefulness will always be influenced by the circumstances in which he is placed. If he have not a regular salary, and be obliged to seek support as a merchant or factor, his eye must be constantly directed to his private advantage ; and, in this position, he insensibly adopts the fundamental doctrine of the trader : ' Every man for himself, and God for us all.' There are many reasons why a consul ought not to be permitted to have an interest in trade ; and therefore his salary ought to be commensurate with his situation. His time and labour are not his own, but those of his country, to the Government of which, like the philosophic traveller of Anacharsis, he ought to communicate all that is good and useful to know concerning the laws, customs, manners, arts, commerce, and manufactures of the country of his residence."

Borel says, "Le consul ne doit pas faire le commerce, car ses fonctions se trouvent souvent incompatibles avec l'état de négociant. Assujété alors aux lois du pays pour ses affaires particulières, non seulement il ne doit pas prétendre à la jouissance du droit

des gens, mais il s'expose au danger de compromettre la dignité de son souverain, en cas de faillites et dans les autres évènements fâcheux que les chances du commerce entraînent a leur suite."

McCulloch, in his valuable "Commercial Dictionary," observes, "At the same time, however, we are clearly of opinion that it would, in *all* cases, be better not to allow consuls to engage, either directly or indirectly, in any sort of industrial undertaking. The main end and purpose of their institution is the facilitating of commerce with the nation in which they reside; and in furtherance of such object they ought, on all occasions, to communicate the fullest and earliest information in their power touching commercial matters, not only to the Government that appoints them, but to such of its subjects as may apply for their advice and assistance. But, however advantageous publicity may be to others, it may in various ways be extremely hostile to the interests of the consul considered in his capacity of merchant; and, when his own advantage and his public duty are set in opposition, it requires little sagacity to discover which will have the ascendancy. Hence the fair presumption is, that a trading consul will rather endeavour to profit by the peculiar information his situation may enable him to obtain, than to communicate it to others. His interests as a merchant must frequently, also, even when such is not really the case, appear to be in opposition to those of the parties for whose behoof he

is said to be appointed; and, under such circumstances, his proceedings, however fair, will always be liable to suspicion of partiality. It is material, also, to observe that mercantile consuls labour under peculiar disadvantages in obtaining information. If a consul, not engaged in business, make a proper application to a public functionary or merchant for information as to any subject with which they may be acquainted, he will, in most instances, learn all they know. But it is obvious, on general principles—and we have been assured of the fact by some of the most intelligent officers of the class—that if a trading consul make the application, the chances are ten to one he will learn nothing, or nothing that is not false or misleading. The inquiries of the former excite no jealousy; those of the latter invariably do. The former is known to be actuated only by a feeling of liberal curiosity, or by a wish properly to discharge his public duties; but the latter, being engaged in business, gets credit only for selfish and interested motives, and is believed to be seeking the information merely that he may turn it to his own account. A mercantile consul is therefore, uniformly, the object of the suspicions of all parties, both of his countrymen and of the foreigners amongst whom he resides. Instead of being, as he ought to be, an independent functionary, he necessarily gets entangled in the cabals and intrigues of those whose differences it is his province to conciliate.”

CHAPTER II.

THE CONSULAR SERVICE.

Powers, Rights, and Privileges of Consuls.

FROM the great preponderance of British trade and shipping, the duties which British consuls have to discharge are far more onerous and laborious than those which the consuls of other nations are called upon to perform, yet they have to encounter many difficulties which their colleagues have not to contend with. While France, Germany, Italy, the United States, etc., have entered into conventions which define the powers of their consuls, Great Britain, from the obstacles which her municipal laws place in the accomplishment of this object, has, hitherto, been unable to do so, and consequently her consuls discharge their duties under certain disadvantages. In the United States, especially, the British shipmaster is often subjected to delay and vexatious litigation, the shipowner to pecuniary loss and that danger to his property which relaxed discipline frequently entails, and the consul to the mortification of being unable to afford that aid and assistance to his countrymen which can be

rendered by the consuls of the nations whose powers and rights have been defined by conventions.

The Merchant Shipping Acts form an excellent code of maritime laws, but consuls have no power, in European ports, in the United States, or South America, to enforce their penal clauses (except in cases of small pecuniary fines) without the aid of the clumsy, and frequently impracticable, machinery of a naval court; and even in cases where a court can be held, and, upon an investigation, a sentence of imprisonment passed upon an offender, the consul, who must sign the sentence, has absolutely no inherent power to remit the offender to a foreign prison. The whole proceedings would, admittedly, have been in conformity with British law, and in carrying into effect this law the consul would only be discharging the duties devolving upon him, yet he could be met (and this is not a supposititious case) by the authorities at the place of his residence propounding this question to him: "By what authority do you, or the tribunal you presided at, remit your delinquents to serve their term of imprisonment in *our* prisons?"

Except in the Mahommedan states, China, and Japan, the rights and privileges of British consuls rest on the vague wording of treaties, framed before commerce had assumed its present gigantic proportions, or on the debatable ground of usage and custom. Even the eminent writers on international law do not agree as to the nature of the

rights and immunities which pertain to the consular character. Boucher says, that "a consul does not represent his sovereign, therefore he is not a public minister, and, consequently, he is not inviolable." Borel is opposed to this view, and observes that "although there may be different opinions concerning the character of consuls, the only reasonable one is that which makes them participate in the rights of nations. The object of their mission is to favour commerce, to administer justice to their merchants and navigators, to keep them within the bounds of order and decorum, and, under the regulations of the ordinances of their sovereign, to watch over the preservation of their privileges and the observance of commercial treaties. While they exercise these functions supported by a commission and *exequatur*, it would be a mere verbal dispute not to grant them the protection of the rights of nations as ministers of the third order. If the prerogatives of consuls have not been distinctly specified in modern treaties between the sovereigns of Europe, it is because they are too well known to require explanation. The same princes have taken care to describe them in their conventions with powers less enlightened, with Barbary and the Porte." Vattel says that "of modern institutions the most useful to commerce is that of consuls, who are authorized by their commissions to watch over and preserve the rights and privileges of their nation, and to terminate difficulties which may arise

amongst merchants. The consul charged with the affairs of his sovereign, and receiving his orders, remains accountable to him for his actions. The consul is not a public minister, and he cannot pretend to his prerogatives ; nevertheless, as he is charged with a commission from his sovereign, and received in this quality by the chief where he resides, he ought to enjoy, to a certain degree, the protection of the rights of nations. The sovereign who receives him tacitly engages to grant him all the freedom and protection necessary to execute his functions with propriety ; without which the admission of the consul would be vain and illusory."

In view of these conflicting opinions, and the doubt as to what usage and custom has sanctioned as law, British consuls should act with great circumspection, and while they should jealously guard and maintain such privileges and exemptions which, by treaty or custom, they may be entitled to, they should be careful never to exceed these ; and in the event of any question arising between them and the local authorities, they should conduct the controversy with the utmost courtesy and moderation, so as to bring about, if possible, a good understanding, and avoid the necessity of referring the matter to the Secretary of State for Foreign Affairs through the medium of her Majesty's diplomatic representative.

Rank and Precedence of Consuls.

The consular service consists of the following ranks :— Agents and consuls-general, consuls-general, consuls, vice-consuls, and consular agents; and the comparative rank between consuls and naval and military officers is as follows :—

(*In force January, 1879.*)

Agents and consuls-general rank	}	Rear-admirals and major-generals.
with, but after	}	
Consuls-general rank with, but	}	Brigadiers and commodores.
after	}	
Consuls rank with, but after ...	{	Colonels, and captains royal navy of three years' standing.
Vice-consuls rank with, but after	{	Lieutenants, and navigating lieutenants, royal navy of eight years standing, and majors.
Consular agents rank with, but	}	Captains in the army, and other
after	}	lieutenants royal navy.

Classification of Consuls.

Consular officers are of two classes—those appointed by and holding a commission from the sovereign, and those appointed by commissioned officers. The former are styled her Majesty's consuls or vice-consuls, and the latter, British consuls or vice-consuls, as the case may be.

Precedence amongst Colleagues.

Consuls take rank amongst their colleagues at the post or place of their residence in accordance

with the rules prescribed by the Congress of Vienna for diplomatic agents, namely, seniority according to official rank and priority of arrival.

Exequatur.

A consul holding a commission from the Crown is officially recognized by the issue of a document called an *exequatur*, granted by the sovereign or supreme authority of the country in which he is to reside. The recognition of a vice-consul, not holding a commission from the Crown, is less formal, but it does not preclude him from the enjoyment of all the privileges, immunities, and exemptions which are granted to officers of the same rank in the country in which he resides.*

Arrival at his Post.

If the consul has been appointed to a post in a country to which a diplomatic officer is accredited, his commission would be sent to such officer for the purpose of obtaining the customary *exequatur*. This obtained, it would be forwarded, together with his commission, to the consul at his post. If the consul should arrive at his post before his *exequatur* has been obtained, he should announce his appointment to the chief local authority, and request permission to

* The following pages refer to the duties to be discharged by commissioned consuls; yet many of them will, of necessity, have to be performed by vice-consuls who are under the jurisdiction of commissioned officers.

discharge his duties *ad interim*. The granting of this permission is purely an act of courtesy, and cannot be claimed as a matter of right.

In the event of there being no diplomatic officer accredited to the country, the consul will have his commission given or sent to him, and on his arrival at his post he will forward it to the Minister of Foreign Affairs of the country, with a request that the customary *exequatur* may be sent to him.

Should the consul, on arriving at his post, find his commission and *exequatur* awaiting him, he will at once address the chief local authorities and inform them of his appointment. He should, as soon as possible, pay an official visit to the principal local authority, and, as a matter of courtesy, to his colleagues at his place of residence. He must inform Her Majesty's diplomatic representative in the country, of his arrival at his post, and impart the same information, by circular, to the vice-consuls placed under his jurisdiction.

ARMS AND FLAG.

The consular arms should be exhibited over the entrance to the consulate, which should be, if possible, situated in a central situation.

The British consular flag is the Union Jack. The practice of hoisting the flag differs in many countries, and the consul should conform to the custom of the place in which he resides. In some

countries it is hoisted daily ; in others, only on *fête-days* or special occasions. Where it is not the practice of foreign consuls generally to hoist their flags, the British consul would not be authorized to hoist *his* flag.

Boat Flag.

The flag to be used by British consular officers when afloat is the blue ensign, with the royal arms in the fly.

CHAPTER III.

THE CONSUL'S DUTIES : POLITICAL, COMMERCIAL,
AND NOTARIAL.

THE consul's duties are so important and multifarious, and, in many cases, so undefined, that he will have to exercise great tact and judgment in executing them. They are, of course, much more onerous and responsible at some posts than at others; much, however, will depend on the nature of the intercourse with the country to which he is sent.

It is the consul's duty to make himself thoroughly acquainted with the treaties and conventions which may have been entered into between his sovereign and that of the country to which he is appointed, with the general tariff, and with the conventional tariff (if any), and with the general consular instructions furnished to him by the Secretary of State, a summary of which is contained in the following chapters forming the first part of this work.

POLITICAL.

The consul's political duties, which form a distinct series in his correspondence with the Foreign Office, are to inform the Secretary of State, and her

Majesty's minister at the court of the country in which he resides, of all occurrences of political interest which transpire in the district of his consulate. The consul should not take part, or interfere in any way, in the politics of the country in which he resides.

COMMERCIAL.

It is the consul's duty to facilitate and extend the commercial relations between his countrymen and the subjects of the state to which he is appointed. He should, by all fair and lawful means, protect and promote the lawful trade of Great Britain, and uphold the rights and privileges of British merchants. It is his duty to prevent the carrying on of any illicit trade to the detriment of the revenues of his country, and to notify his Government of any impediments or restrictions to British trade. The consul should inform the Secretary of State of all changes made which affect commerce, either by the increase or diminution of duties, charges, etc., and should make the same known to resident British merchants.

Annual Trade Reports.

The consul will furnish annually to the Secretary of State, so that it may reach the Foreign Office not later than the 31st of March of each year, a report on the trade, commerce, navigation, and agriculture

of his port and consular district for the year last preceding. These reports should be as complete as possible, as they are intended for publication, and are of increasing interest in commercial circles.

Mercantile Marine.

The consul's important and onerous duties in connection with merchant ships and seamen are fully treated of in the second and subsequent parts of this book. A return of ships entered and cleared at the Consul's port should be sent to the Foreign Office at the termination of each year.

NOTARIAL.

The 20th section of the Consular Act, 1825, empowers consuls to perform all such notarial acts as any notary public may do, and to administer oaths and affirmations, which shall be of like force and effect, to all intents and purposes, as if they had been performed or done by a notary public or justice of the peace in the United Kingdom.

Certificates.

Consuls should be careful not to grant a certificate of any fact of which they have not accurately ascertained the truth. It is their duty to take special care that they are not entrapped into affording assistance to the commission of fraud on her Majesty's revenue; for a document might be

presented to a consul ostensibly for the sole purpose of procuring attestation of a signature, whilst it might be the intention of the parties who applied for attestation to use the document in order to evade the customs laws, and to give it, for that purpose, a truthful character by attaching to it the signature of a British functionary. Again, one individual might wish to make an affidavit detrimental to the character of another; and if a consul, through ignorance of the matter referred to in the affidavit, were to put his name to it, though merely as attesting the signatures, he might thereby appear to give the weight of his authority to the slander, and thus do an injury to an innocent person by damaging his character.

Affidavits for Law Courts.

Consuls should not decline to swear parties to affidavits in proceedings pending in a British court of justice on account of not being themselves acquainted with the matter pending in such court. On the contrary, they should carefully avoid creating obstacles or delay in legal proceedings. In regard to any such proceedings, the consul only acts ministerially and as an officer of the court, and he should not assume to do or exact more than such an officer would do in England, where he could not insist on reading the affidavits.

When depositions are taken on oath, the originals are to be sent home.

Whenever a consul is required to attest or certify a document consisting of more than one sheet, he will unite the sheets by a tape or ribbon to the end of the document, by means of wax or wafer, on which he will place his official seal.

Other Notarial Acts.

The consul will be called upon to perform various notarial acts, such as extending protests, preparing and attesting bottomry bonds, arbitration bonds, etc., and great care should be taken in drawing these instruments, as they frequently represent most important interests. (*For forms of notarial acts, see Appendix.*)

CHAPTER IV.

THE CONSUL'S DUTIES GENERALLY.

ADVICE AND ASSISTANCE TO BRITISH SUBJECTS.

It is the consul's duty to promote harmony and goodwill amongst his countrymen resident at his post, to afford them advice and assistance when called upon, and to protect them from insult, injury, or imposition. He must represent their grievances, if well founded, to the local authorities, and, in the event of his failing to obtain redress, submit their complaints to her Majesty's minister accredited to the court of the country in which he resides, so that they may be laid before the supreme authorities of the country.

To be of service to his countrymen is a consul's duty, but it should also be a source of pride and gratification to him.

NATURALIZED BRITISH SUBJECTS.

Holders of certificates of naturalization, who can prove to the consul's satisfaction that they are entitled to British consular protection abroad, should be treated in every respect as British-born subjects;

but such certificates, if granted subsequently to the year 1850 and prior to the 12th of May, 1870, do not entitle the holders to any privileges out of her Majesty's dominions, unless they are provided with a passport from the Secretary of State for Foreign Affairs, or from the governor of any British colony in which they may have been naturalized, to enable them, for the term therein specified, to travel abroad. Persons naturalized as British subjects under the Act 33 Vict. c. 14, 12th of May, 1870, receive at the Foreign Office, on production of their certificates of naturalization and on satisfactory proof of identity, passports unlimited in point of time, but with the following notice attached:—"This passport is granted with the qualification that the bearer shall not, when within the limits of the foreign state of which he was a subject previously to obtaining his certificate of naturalization, be deemed to be a British subject, unless he has ceased to be a subject of that state in pursuance of the laws thereof, or in pursuance of a treaty to that effect (33 Vict. c. 14)."

This restriction, therefore, imposed with regard to persons naturalized since 1850, does not apply to persons naturalized since the Act of 1870. Naturalized British subjects cannot claim, as such, any privileges in the country of which they were subjects.

MARRIAGES ABROAD.

The Act 12 and 13 Vict. c. 68, "An Act for Facilitating the Marriage of British Subjects in Foreign Countries," provides for the solemnization of marriages at British consulates. Such marriages cannot, however, be solemnized unless the consular officer is empowered by a warrant, under the hand of the Secretary of State, to solemnize, and permit his consulate to be used for the solemnization of, marriages under this Act.

Whenever a warrant is given for this purpose, the consular officer will be provided with all the necessary documents and forms, and it is of the utmost importance that, on receiving such a warrant, he should make himself thoroughly acquainted with the provisions of the Act, which must be strictly observed.

*Marriages not necessarily valid out of her Majesty's
Dominions.*

The consul will, in every case, before a marriage is celebrated under this Act, where one or both of the parties are British subjects, inform them that a marriage is not necessarily valid out of her Majesty's dominions, and that they should make themselves acquainted with, and conform to, the requirements of the law of any country in which it may be important that their marriage should be recognized as valid.

Mixed Marriages.

In the case of a mixed marriage, where one of the parties is a subject of the country in which the marriage is proposed to take place, it should be clearly understood that the party who is not a British subject must, previous to being married in the consulate, have complied with the requirements of the marriage law of such country, so far as it may be possible to do so.

General Principles of Law in Foreign Countries.

The general principle of the law of most foreign countries, apparently, is to recognize as a valid marriage such a solemnization as would constitute a legal marriage in the country, or by the laws of the country, to which the contracting parties belong.

Return of Marriages to be made annually.

The consul will, in the month of January of every year, transmit to the Secretary of State a true copy, under his hand and seal, of all the entries in the register book of marriages made during the preceding year; and if no marriage has been registered, the consul will send a “*nil*” return, certified under his hand and seal.

REGISTRATION OF BIRTHS AND DEATHS ABROAD.

The Act does not provide for the registration of births and deaths of British subjects abroad. It is, however, very important that registers should be accurately kept by such consular officers as are furnished with them, and they should give publicity to the fact that such registers are kept in their consulates.

Annual Return to be made.

In the month of January of every year the consul should transmit to the Secretary of State a true copy of the entries in each register book of births and deaths made during the preceding year, certified to under his hand and seal. Should no entry have been made, a “*nil*” return must be sent.

Illegitimate Children.

Illegitimate children, born abroad of English parents, are not British subjects, and therefore, not being entitled to British protection, should not be registered.

PROPERTY OF BRITISH SUBJECTS DYING ABROAD.

The administration of the property of British subjects dying abroad must, as a general rule, be left to the next of kin, or to the person legally authorized to take charge of it; subject always to local law, or to the provisions of treaties.

Assistance to be rendered.

Consuls should render every assistance in their power for the protection of such property, but should not interfere directly in its management, unless enjoined by treaty or local law, or unless there should be no one on the spot legally competent to act as representatives.

Persons dying Intestate.

In cases of intestacy, and the consul knowing that there are next of kin in England or elsewhere, he should communicate with them and ascertain their wishes as to the disposition of the estate. In the case where the consul has to remit to the next of kin the proceeds of the estate of such intestate British subjects, it is necessary that he should, before making such remittance, obtain from the parties such evidence as will satisfy him of their right to the property, and in transmitting the proceeds, agreeable with any instructions he may have received, he should so provide as to obtain a receipt for the same before its being handed over.

Commissioners of Inland Revenue to be informed.

The consul, when making a remittance to Great Britain in conformity with the preceding paragraph, must inform the Commissioners of Inland

Revenue of the amount of such remittance, the names of the parties to whom it is to be paid, and through whom such payment is to be effected.

Where Next of Kin are unknown, Proceeds to be sent to Treasury.

When the consul has been unable to ascertain the existence of any next of kin, and has administered to the property (not being that of a British seaman), the proceeds must be remitted to the Lords of the Treasury, on behalf of the personal representatives of the deceased. The consul may, at his discretion, retain and remit to their lordships any small articles or trinkets which he may think would be valued by the surviving relatives.

The consul must, at the same time, furnish the Lords of the Treasury with a detailed statement of all particulars relating to the property, and he will use his utmost diligence, by inquiries on the spot or elsewhere, to obtain all information tending to the identification of the deceased and the discovery of the relatives.

Commission.

Consuls must bear in mind that it is only in cases of proved intestacy that a commission of $2\frac{1}{2}$ per cent. is leviable under the Consular Act, and Order in Council of the 1st of May, 1855.

PASSPORTS.

A consular officer, when called upon for a passport, must satisfy himself that the applicant is really a British subject, and that a passport is useful or necessary to enable him or her to travel in or beyond the country in which it is applied for. In no case is the consul permitted to issue a passport to a person not a subject of her Majesty, or not holding British employment. (*For form of passport, see Appendix.*)

Visas.

Where local regulations require that British subjects passing through a place where there is a British consul resident should have their passports *visé*, the consul may affix a *visa*; but before so doing he should satisfy himself of the identity of the holder of the passport. In no case is a British consul to *viser* the passport of a person not a subject of her Majesty, or not holding British employment.

Passport Fees.

The fee leviable for a passport is 5s.; that for a *visa*, 2s.

DUTIES CONNECTED WITH THE ROYAL NAVY.

Advice to be given.

Consular officers should render every possible assistance to her Majesty's ships visiting the port or neighbourhood of their residence, and should attend to any requisitions of the commanders of such ships, and furnish them with whatever intelligence it may be of importance to her Majesty's service that they should be informed of.

Consul to certify to Paymasters' Bills.

On all bills drawn by the paymaster on the Accountant-General of the Navy, the rate of exchange, premium, or discount is to be distinctly inserted and certified to by the consular officer.

Pilotage, Harbour Dues, etc., to be settled by Consular Officers.

As a general rule, and particularly at places where there are no fixed and well-defined rates and regulations, the paymasters of her Majesty's ships are required to leave all claims for pilotage, harbour, or tonnage dues to be settled by the consular officer (on the certificate given by the commanding officer), who, on making these payments, will certify to the correctness of the rates, and their accordance with the regulations or practice of the place.

Changes in Rates of Pilotage to be notified.

Should any changes take place in the rates of pilotage heretofore existing at the ports where consular officers are stationed, they should transmit copies of the altered tables or regulations to the Accountant-General of the Navy, Admiralty, London, as well as to the Secretary of State.

Repayment of Disbursements.

In repayment of all necessary disbursements made by consular officers on account of the royal navy, they will draw bills, at three days after sight, on the Accountant-General of the Navy, adding to the amount of their disbursements the usual commission of $2\frac{1}{2}$ per cent. Letters of advice, enclosing accounts and vouchers, should be sent to the Accountant-General at the time the bills are drawn.

Seamen or Marines left behind.

If a seaman or marine belonging to any of her Majesty's ships should accidentally be left behind, consular officers should take steps for forwarding him to any of her Majesty's ships, or to the nearest naval station, sending to the commanding officer a statement of any expenses incurred, and drawn for as directed in the preceding paragraph, in order that they may, if necessary, be charged against the man's

wages. The same course is to be followed in the case of deserters or stragglers, who may be recovered after their ships have sailed.

Lights, Beacons, Buoys, etc.

The consul will forward to the Secretary, Admiralty, London, original notices of new lights, beacons, or buoys; and of all alterations in existing lights, beacons, or buoys; and of all rocks, shoals, and other impediments to navigation, discovered in or near the limits of his consulate, or in or on the neighbouring seas or coasts; and of other matters affecting navigation.

The notice should be forwarded in its original language, accompanied by an exact and careful translation.

Particular attention should be paid to the spelling and writing of proper names, and all numbers should not only be expressed in figures, but should also be written in words; *e.g.* “45° (forty-five degrees).” It is essential that *all* notices of this description should be sent to the Admiralty with the least possible delay.

The Foregoing applicable to all Consular Officers.

The foregoing duties connected with the royal navy are applicable to consular officers of all ranks.

Official Visits.

The following are the rules in force with reference to the interchange of visits of courtesy between naval and consular officers :—

“On the arrival of a squadron or of one of her Majesty’s ships of war at a foreign port, the first visit will be made by the naval or consular officer who may be subordinate in relative rank, according to the following scale :—

“Agents and consuls-general to rank with, but after	}	Rear-admirals.
Consuls-general to rank with, but after	}	Commodores.
Consuls to rank with, but after ...	{	Captains of the royal navy of three years’ standing, and before all other such captains.
Vice-consuls to rank with, but after	{	Lieutenants and navigating lieutenants of eight years’ standing.
Consular agents to rank with, but after	}	All other lieutenants and navigating lieutenants.

“The senior naval officer present will arrange, when necessary, to provide a suitable boat to enable the consular officer to pay any official visits afloat, and to re-land him, on the consular officer notifying his wish that a boat should be provided for the purpose.”

QUARANTINE, AND CONTAGIOUS OR INFECTIOUS DISEASES.

Whatever measures of quarantine may be adopted within the district of any consular officer should be

immediately made known by him to the Secretary of State, and to any British naval, military, or colonial authority who may be within reach; and he should equally report the appearance of any fever or disease having a contagious or infectious character, or whether affecting human or animal life.

Bills of Health.

When applied to for a bill of health, the consul must insert in that document a statement as to whether the place and its neighbourhood is free from, suspected of, or infected with any contagious or infectious disease. (*For forms of bills of health, see Appendix.*)

SLAVE-TRADE.

Although this traffic has of late years much decreased, there are still places where it is carried on in defiance of local law. Consuls should watch all undertakings which may be suspected of being concerned with the slave-trade; and whenever any act is done, or is supposed to be contemplated, which would be contrary to treaty, they should forthwith report the same to the Secretary of State, to the commander of the nearest ship of war, and to the local authorities.

Acts in force.

The following are the Acts in force with reference to the slave-trade :—

5 Geo. IV. c. 113 (1824).

6 & 7 Vict. c. 98 (1843).

36 & 37 Vict. c. 59 (1873).

36 & 37 Vict. c. 88 (1873).

39 & 40 Vict. c. 46 (1876).

LLOYD'S AGENCY, AND AGENCY OF STEAM PACKET
COMPANIES.

Consular officers are allowed to act as agents to Lloyd's and to steam navigation companies, so long as such agencies do not interfere with the due performance of their proper consular duties.

*Agencies not to be accepted without the sanction of the
Secretary of State.*

No agencies, however, must be undertaken by consular officers who are restricted from trading, without previous reference to the Secretary of State.

PUBLIC AND PRIVATE CORRESPONDENCE.

*Consuls prohibited from corresponding with Private
Persons on Public Affairs.*

Consular officers are prohibited from corresponding with private persons on public affairs, and this

prohibition extends to correspondence with Lloyd's or public companies.

Correspondence with Local Authorities.

Consular officers are not permitted to correspond direct with the supreme Government of the country in which they reside, but only with the local authorities of the place at which they are stationed. Any representation to the supreme Government must be made through the diplomatic officer accredited to the country, except in the very exceptional case where there is no diplomatic officer, in which case the consul would address the Minister for Foreign Affairs of the country in which he is stationed.

ACCEPTANCE OF EMPLOYMENT OR FAVOURS FROM
FOREIGN GOVERNMENTS.

Consular officers are prohibited from asking or accepting favours or employment from the Government of the country in which they reside, or from recommending friends, at home or abroad, for employment of trust or profit under such Governments.

FEES.

*When received on account of Her Majesty's
Government.*

Fees received by salaried consular officers on account of her Majesty's Government must be

accounted for in their quarterly account current with the Secretary of State, and an abstract of their fee cash-book must accompany the account.

Annual Return to be made.

On the 31st of March of each year consular officers must transmit to the Secretary of State a statement of the gross amount of all fees and remuneration received at their consulates during the preceding year.

CONSULAR OFFICERS TO EXECUTE INSTRUCTIONS
FROM DIPLOMATIC OFFICERS.

It is the duty of consular officers to execute any instructions which they may receive from her Majesty's diplomatic representatives, if such instructions are not inconsistent or at variance with any special instructions they may have received from the Foreign Office; but if, on these grounds (in consequence of any such inconsistency or variance, and giving due consideration to the peculiar circumstances of each case), consular officers should feel doubts as to the propriety of carrying out the instructions of her Majesty's diplomatic representative, they will lay before him the grounds thereof; and if, notwithstanding, her Majesty's representative should repeat his instructions, the consular officer must obey them.

*In Cases of Doubt, Consuls to refer to
Diplomatic Officers.*

In any doubtful cases, consular officers should refer to her Majesty's representative for advice and directions how to act, and should be guided by such advice and directions, unless instructions from the Foreign Office prescribe a different course.

VICE-CONSULS, CONSULAR AGENTS, AND
PRO-CONSULS.

Appointment of Vice-Consuls.

Where it should appear necessary to the superintending consul that a vice-consul should be stationed at any post within his district where hitherto there has been no British vice-consulate, or whenever a vacancy occurs, he will report the fact to the Secretary of State, showing how far British interests require such appointment, and submit the name of some British merchant of respectability for the appointment, transmitting the despatch, under flying seal, through the diplomatic officer accredited to the country. On receipt of the approval of the Secretary of State, the consul will acquaint his nominee of his appointment as vice-consul.

Authority to act, and Recognition by Local Authorities.

A vice-consul so appointed is provided with a letter of authority to act as vice-consul, by his superintending consul, who will take such steps as may be necessary for procuring the vice-consul's recognition by the local authorities, and furnish him with instructions as to his duties.

Vice-Consuls to correspond with their Superintending Consul.

Vice-consuls must address all their official correspondence to their superintending consul, who will furnish them from time to time with special instructions for their guidance.

Vice-Consular Reports.

Vice-consuls should transmit annually to their superintending consuls a report on the trade and commerce of their port. This should be sent as soon after the close of each year as possible, and it should comprise information in regard to the amount and character of the domestic and foreign trade and shipping, and the effects of all commercial and agricultural operations. Such vice-consular reports are required to enable the superintending consul to furnish her Majesty's Government with full particulars from every part of his district, relative to matters which, as having a general bear-

ing on industry, may affect British mercantile operations. These reports are to be drawn up in such manner as the superintending consul may direct.

Vice-consuls should at once report to their superintending officer all changes that may occur in port regulations, quarantine restrictions, appearance of contagious or infectious diseases, and all other matters of public interest.

Remuneration of Vice-Consuls.

Vice-consuls, stationed at places where no superior officer resides, may, unless otherwise directed, appropriate to their own use the fees which are leviable under the Order in Council of the 1st of May, 1855, and which are specified in the tables which will be found in the Appendix. Consular services for which fees are leviable are, however, not to be forced on shipmasters or other persons, excepting in cases in which the interference of a consular officer is by law made compulsory.

To report annually the amount of Fees received.

At the expiration of every year, vice-consuls should make a return to their superintending consul, showing the gross amount of all fees and remuneration received by them or in their name, distinguishing the fees taken under each of the two tables.

The amounts should be given both in sterling and in the currency of the country.

Disbursements on the Public Service.

Vice-consuls are not authorized to make any disbursements on the public service, excepting under the special sanction of their superintending consul, or, in necessary cases, for the relief of distressed British seamen, as hereinafter set forth.

General Duties.

Vice-consuls are required to give their best advice and assistance, when needed, to British subjects, whose rightful interests are to be upheld; and in the event of any attempt being made to injure them, vice-consuls will, in the first instance, endeavour by due representation on the spot to procure redress, and, failing that, they will report the matter to the superintending consul.

In all representations or transactions with public authorities, vice-consuls should conduct themselves with mildness and moderation, and should not urge claims to which British subjects are not justly and fully entitled.

Vice-consuls are fully empowered by the Act 18 & 19 Vict. c. 42, to administer oaths, and to take affidavits and affirmations, and to perform all such

notarial acts as a notary public might or could do in the United Kingdom.

The duties of vice-consuls connected with merchant ships and seamen are fully treated of in the subsequent parts of this book.

Foreigners not to be appointed who do not understand English.

Consuls are not to suggest the appointment of vice-consuls except in cases of absolute necessity, and foreigners are not to be recommended for the appointment in preference to qualified British subjects. No foreigner is to be appointed who cannot read, write, and speak English.

Vice-Consuls not to be superseded without Authority.

The superintending consul may not dismiss any vice-consul within his district without the sanction of the Secretary of State; but in cases where good and sufficient grounds exist for such dismissal, they should be submitted to the Secretary of State for his decision.

CONSULAR AGENTS.

The foregoing paragraphs with reference to vice-consuls are also applicable to consular agents.

PRO-CONSULS.

Consuls and vice-consuls have power, with the sanction of the Secretary of State, to appoint a pro-consul, whose duties would be strictly limited to the performance of notarial acts during the temporary absence of such consul or vice-consul.

ANNUAL RETURN.

At the close of every year the superintending consul will transmit to the Secretary of State a return giving the names, etc., of all persons acting as vice-consuls, consular agents, or pro-consuls within his consular jurisdiction.

ACTING CONSULS.

An acting consul is a person appointed by a consul as his *locum tenens* during his absence from his post, sanction having been obtained from the Secretary of State for such appointment.

Payment to Acting Consuls.

If the acting consul or vice-consul be a salaried officer of the Crown, a sum will be granted to him equal to one-half of the sum deducted from the absent consular officer's salary. If he be a paid clerk of the absent consular officer, a sum equal to two-thirds of the sum deducted will be paid to him. If

he be neither a salaried officer of the Crown nor a paid clerk of the absent consular officer, he will receive an amount equal to the sum deducted from the absent consular officer's salary.

ANNUAL LEAVE.

Under ordinary circumstances, consular officers are allowed one month's leave on full pay every year, and, subject to the sanction of the Secretary of State, they are allowed to accumulate leave on full pay at the rate of one month's such leave for every complete year of previous continuous residence at their posts, counting from the 1st of January next after the last absence on leave. When, however, more than six months' leave on full pay would accrue under that arrangement, the case must be submitted to the Secretary of State for special consideration. In cases which come under this system, the time of the journeys home and back is not included in the time of leave, and special care must, therefore, be always taken to report the dates of arrival in England and of departure from it on return to post. Consular officers should clearly understand that, during the time they are absent from their posts on full pay, they have to make their own arrangements for the remuneration of the gentleman who may be acting for them.

Short Leave of Absence to Vice-Consuls and Consular Agents.

Superintending consuls may grant short leave of absence to vice-consuls and consular agents; but such leave should always be reported to the Foreign Office, with the name of the person left in charge.

PART II.
BRITISH SHIPS.

BRITISH SHIPS.

OWNERSHIP.

“A SHIP may be a British ship, entitled to carry the British flag and to claim British privileges and protection, and yet have been built at a foreign port, and be manned and commanded by foreigners; the sole requisite is that she shall be owned by persons who owe allegiance to the British Crown, and are subject to British law. These persons are defined to be:—

- (1) Natural-born subjects, who have not sworn allegiance to any foreign state, or who, having done so, have subsequently sworn allegiance to her Majesty;
- (2) Persons who have been made denizens or naturalized, and have subsequently sworn allegiance to her Majesty;
- (3) Bodies corporate, subject to the laws of, and having their principal place of business in, some part of her Majesty's dominions.

“And with respect to natural-born subjects who have sworn allegiance to any foreign state, and to persons who have been made denizens or naturalized, it is required, as a further condition, that they shall

either be resident in the British dominions, or members of a British factory, or partners in a house actually carrying on business in the British dominions."

Declaration of Ownership.

"For the purpose of insuring compliance with the law which defines the necessary conditions of British ownership, and also for the purpose of making correct entries in the register books of the particulars which constitute a title to shipping, certain declarations and certificates are required on the first registry of a ship, on transfers and transmissions of ships or shares in ships, and on transmission of interest in mortgages. They must, if made by persons resident in her Majesty's dominions, be subscribed before the registrar or some justice of the peace; but where they are to be made in foreign countries, they may be made before a consul. When application is made to the consul for this purpose, he will see that the instrument is in the proper form, and contains all the particulars required in each case; he will point out to the parties the meaning of those statements which relate to their character as British subjects, and he will warn them that for any false statement on this point the declarant is guilty of a misdemeanour, and that the interest in respect of which the declaration is made is liable to forfeiture. He will himself witness and attest the document, and affix his consular seal. If he is aware that any statement in

the document is false or erroneous, he will refuse to attest it unless corrected; and if he has reason to believe this to be the case, but has no means of satisfying himself on the point, he will, if the parties insist on signing the document, communicate his suspicions to the Board of Trade. If, in any case, a declaration cannot be made in the form and with the particulars required, the consul will annex to it and sign a memorandum of the variation and of the reasons for it.

“The consul will note that in certain cases of inability, referred to in the 99th section of the Merchant Shipping Act, 1854, certain persons are allowed to make declarations on behalf of the parties principally interested.”

Registry and Certificate of Registry.

“For the purpose of ascertaining British ownership, and determining the right to use the British flag, a ship must be duly registered.

“Certificates of registry are numbered in one perpetual and consecutive series for all ships in the British empire, and each number, when once given and placed on the certificate, will remain without change as long as the ship is in existence and continues to be a British ship. *The object of the certificate of registry is to show the national character of the ship, and it is only to be used for the lawful navigation of the ship.* It must, therefore, always remain with the

ship so long as she remains a British ship, and must have the name of the master for the time being written or endorsed upon it."

Requirements of the Law previous to Registry.

"The law requires that the following particulars should be complied with before registry :—

- (1) The number denoting the registered tonnage, and also the official number of the certificate of registry, must be duly carved or otherwise permanently marked on the main beam.
- (2) The name of the ship and of the port of registry are to be painted on a conspicuous part of her stern, on a dark ground in white or yellow letters, or on a light ground in black letters, and her name must be marked in like manner on each of her bows, the letters to be of a length not less than four inches, and of proportionate breadth.
- (3) A scale of feet denoting her draught of water must be marked on each side of her stem and of her stern-post, in Roman capital letters or in figures, not less than six inches in length, the lower line of such letters or figures to coincide with the draught line denoted thereby. Such letters or figures shall be marked by being

cut in and painted white or yellow on a dark ground, or in such other way as the Board of Trade may from time to time approve. These marks are to be permanently continued."

The Certificate of Registry.

"Every British ship will, when registered, receive a certificate of registry in the form marked D in the schedule to the Merchant Shipping Act, 1854, which will contain :—

- (1) The name of the ship and port of registry ;
- (2) The name of the master, and the number of his certificate of competency or service (if any) ;
- (3) Various details concerning her tonnage, build, and description, set forth in the certificate of survey by the measuring officer ;
- (4) Details concerning the origin and build of the ship, the name and description of the owners, and the proportions in which they are interested."

Certificate of Registry no Proof of Ownership.

"The certificate of registry is not, under the Merchant Shipping Act, any evidence of title, and although provision is made for having the names of the owners endorsed upon the certificate whenever it

is possible to do so, yet it will very frequently happen that sales may have taken place, either at home or abroad, which cannot be endorsed upon the certificate, and also that no mortgages whatever will ever be officially endorsed upon it. Persons who wish to purchase or advance money on ships must look for their title, not to the certificate of registry, but either to the book of registry, which is kept at the port of registry, or to the certificates of sale and mortgage hereinafter mentioned."

In Cases where Certificate is improperly used.

"If a certificate of registry is used for any ship other than that for which it was granted, the persons so using it are guilty of a misdemeanour, and the ship is liable to seizure and condemnation. If the consul should become aware of any offence of this description, or any attempt to commit it, he will not fail to warn the parties of their liabilities, and also to inform the Board of Trade; but he will not exercise the power of seizing the ship given him by s. 52 of the Merchant Shipping Act, 1854, unless he has reason to believe that the offence is wilful and fraudulent, and that it is intended thereby to obtain means of committing piracy, or of avoiding lawful capture by the cruisers of her Majesty or of her allies in time of war, or of defrauding the revenue, or of doing some other act manifestly contrary to public policy."

*In Case of Loss, Destruction, or Transfer of Ship to
Foreigners.*

“Whenever any ship is lost or abandoned, taken by the enemy, burnt, or broken up, or is transferred to a person not qualified to own a British ship, or from any other reason ceases to be a British ship, notice is to be given as soon as possible to the registrar; and the certificate of registry, unless lost or destroyed, is to be returned to him. For this purpose, it will be the consul’s duty, whenever any such event takes place within his consulate, or whenever the master of any ship in respect of which any such event has happened arrives within his consulate, to demand from him the certificate of registry, and to forward it, with a statement of the circumstances under which he has obtained it, to the registrar of the port of registry of the ship. As the certificate of registry is a document proving nationality, it is most important that this provision should be strictly observed, in order to prevent the certificate from being improperly used; and if the consul should find any difficulty in enforcing it, he will not fail to point out to the offending parties that they are liable to a penalty of £100, and to report the case to the Board of Trade.”

General Index kept.

“A general index will be kept by the Registrar-General of Shipping and Seamen in London, in which will be entered, for reference, all particulars concerning the titles to British ships, wherever registered; but the actual title to a ship will depend, not on the entries in this index, but on those contained in the register book kept at the port of registry. A list of the ships whose registers are cancelled will, from time to time, be sent to the consul by the registrar.”

DECK AND LOAD LINES.

Marking of Deck-lines.

“Every British ship (except ships under eighty tons register employed solely in the coasting trade, ships employed solely in fishing, and pleasure yachts) shall be permanently and conspicuously marked with lines of not less than twelve inches in length and one inch in breadth, painted longitudinally on each side amidships, or as near thereto as is practicable, and indicating the position of each deck which is above water.

“The upper edge of each of these lines shall be level with the upper side of the deck plank next the waterway at the place of marking.

“The lines shall be white or yellow on a dark ground, or black on a light ground.”

Marking of Load-line on Foreign-going British Ships.

“With respect to the marking of a load-line on British ships, the following provisions shall have effect :—

- (1) The owner of every British ship (except ships under eighty tons register employed solely in the coasting trade, ships employed solely in fishing, and pleasure yachts) shall, before entering his ship outwards from any port in the United Kingdom upon any voyage for which he is required so to enter her, or, if that is not practicable, as soon after as may be, mark upon each of her sides amidships, or as near thereto as is practicable, in white or yellow on a dark ground, or in black on a light ground, a circular disc twelve inches in diameter, with a horizontal line eighteen inches in length drawn through its centre.
- (2) The centre of this disc shall indicate the maximum load-line in salt water to which the owner intends to load the ship for that voyage.
- (3) He shall also, upon so entering her, insert in the form of entry delivered to the collector, or other principal officer of customs, a statement in writing of the distance in

feet and inches between the centre of this disc and the upper edge of each of the lines indicating the position of the ship's decks which is above that centre.

- (4) If default is made in delivering this statement in the case of any ship, any officer of customs may refuse to enter the ship outwards.
- (5) The master of the ship shall enter a copy of this statement in the agreement with the crew, before it is signed by any member of the crew, and no superintendent of any mercantile marine office shall proceed with the engagement of the crew until this entry is made.
- (6) The master of the ship shall also enter a copy of this statement in the official log-book.
- (7) When a ship has been marked as by this section required, she shall be kept so marked until her next return to a port of discharge in the United Kingdom."

Penalty.

"Any owner or master of a British ship who neglects to cause his ship to be marked as by this Act required, or to keep her so marked, or who allows the ship to be so loaded as to submerge in salt water the centre of the disc, and any person

who conceals, removes, alters, defaces, or obliterates, or suffers any person under his control to conceal, remove, alter, deface, or obliterate, any of the said marks, except in the event of the particulars thereby denoted being lawfully altered, or except for the purpose of escaping capture by an enemy, shall for each offence incur a penalty not exceeding £100.

“If any of the marks required by this Act is in any respect inaccurate, so as to be likely to mislead, the owner of the ship shall incur a penalty not exceeding £100.

“The consul should at once report to the Board of Trade any case in which there is reason to suppose that a British ship, which has sailed from a port in the United Kingdom, is insufficiently or inaccurately marked, with information as to the probable destination of the vessel, and her next probable arrival in the United Kingdom.”

FLAGS TO BE CARRIED BY BRITISH SHIPS.

“The flag to be carried by British ships is the red ensign. The flag to be hoisted by British ships for a pilot is the Union Jack with a white border, the border to be one-fifth of the breadth of the Jack.”

Penalty.

“If any colours usually worn by Her Majesty’s ships, or any pendant, or any distinctive national colours, except those above mentioned, be hoisted

in any British ship or boat without warrant from her Majesty or the Admiralty, the master, the owner (if on board), and every other person concerned, is liable to a penalty not exceeding £500 ; and consuls and other public officers may board the vessel and take away such colours or pendants."

Steps to be taken when Improper Flags are carried.

" The consul will make known in the most public manner, throughout the district of his consulate, the above rules concerning flags, and he will cause a notice of such rules, with a copy of the flags to be used, to be exhibited in some conspicuous part of his office. If he is informed that any British vessel hoists improper colours, he will send or go on board, and will seize the pendant or colours so hoisted, and will for that purpose order the master to haul them down and deliver them up to him. If the colours are delivered up, care should be taken that the person to whom they are delivered is able, if called on, to prove their identity, either by keeping them in his custody or putting some mark upon them. In every case of offence, the consul will report the facts to the Secretary of State for Foreign Affairs, in order that the Admiralty may consider whether any further steps should be taken. In so doing, he will state the official number, name, tonnage, port of registry, and destination of the ship ; the name of the master ; the nature of the pendant or colours improperly carried ;

the names, addresses, and destinations of any persons who have been witnesses of the offence; and the steps taken by the consul, and the result, with any statement or explanation given by the master."

SIMULATION OR CONCEALMENT OF NATIONAL CHARACTER.

Penalties for False Assumption or Concealment of National Character.

"It is, as already noticed, of the utmost importance that the single remaining condition requisite to give to a ship the character and privileges of a British ship should be strictly performed, and it is also very important that the national character of a ship should neither be falsely assumed nor unduly concealed; so that, on the one hand, her Majesty's Government may not be involved in any difficulties from claims to protection on the part of persons not entitled to use the British flag, and so that, on the other, British ships may not, by concealing their national character, attempt to avoid obligations under which they are placed by British law. With the view of preventing these evils, the following offences are made punishable by forfeiture; that is to say:—

- (1) Using the British flag and assuming the British character on board any ship owned or partly owned by persons not duly qualified, for the purpose of making the

ship appear to be a British ship, unless the assumption is made either for the purpose of escaping capture by an enemy, or by a foreign ship of war in exercise of some belligerent right ;

- (2) Carrying or permitting to be carried on board a British ship any papers or documents, or doing or permitting anything to be done with respect to such ship, with intention to assume a foreign character, or to conceal the British character of the ship from any person entitled by law to inquire into the same ;
- (3) The acquisition as an owner by an unqualified person of any interest in a ship assuming to be a British ship, except in certain cases of descent and transmission, for which special provision is made in the Act ;
- (4) Wilfully making a false declaration concerning the qualification for ownership.

“ In order to enforce forfeitures in the above cases, consuls and other public officers are enabled to seize and detain ships, and take them for adjudication before Courts of Admiralty ; and they are exempted from any responsibility on account of the detention, if reasonable grounds exist for the same. The consul will, however, act in this case as in the case of a certificate of registry improperly used as before stated.”

BRITISH OWNERS NOT REGISTERING TO HAVE THE
LIABILITIES, BUT NOT THE BENEFITS, OF BRITISH
LAW.

“A ship is not entitled to the privileges of a British ship unless duly registered, as before mentioned ; but in order to prevent British owners from attempting to evade British law by not registering their ships, it is provided that so far as regards payment of dues, liabilities to payments and penalties, and the punishment of persons for offences committed on board such ships by persons belonging to them, ships belonging to persons qualified to own British ships are to be considered British ships, although not registered.”

Rule of International Law.

“In dealing with cases arising under the before-mentioned enactments, consuls will remember that, according to well-established principles of international law, the owner of any ship using a national flag and assuming a national character cannot, upon any trial or judicial proceeding, be allowed to urge to his own advantage, or in his own defence, that the flag and character so assumed are not the flag and character which properly belong to the ship.’

PURCHASES, MORTGAGES, AND SALES OF
SHIPS AT FOREIGN PORTS.

*Provisional Certificate by Consul to be given to Ships
purchased at a Foreign Port by British Owners.*

“Persons qualified to own British ships may purchase foreign ships at a foreign port. In such cases the ship cannot be completely registered, until she arrives at some port in the British dominions where there is a British registrar; but in order to prevent the inconveniences and dangers which would arise from the ship making her homeward voyage without papers showing the national character, the consul is enabled to grant a provisional certificate, to remain in force until the expiration of six months, or until the arrival of the ship at some port having a British registrar, whichever first happens. In granting this certificate he will attend to the following particulars :—

“He will require from the purchaser, or from the agent of the purchaser, a declaration containing a statement of the qualification of the purchaser, similar to those contained in Forms B. or C. (as the case may be) in the schedule to the Merchant Shipping Act, and containing also such of the other particulars contained in those forms as can be obtained without requiring a new survey or measurement; and this declaration should, so far as possible, be in the same form, and be made with the same formalities and precautions, as declarations given for the purpose of

the final registry of the ship, except that it must be marked 'Provisional.'

"He will then prepare a certificate of registry, adhering as nearly as possible to the Form D. in the schedule to the Act, except that at the top must be written in large and conspicuous characters the word 'Provisional,' and that at the foot, or in some conspicuous place, must be added the words, 'This provisional certificate of registry continues in force only until the day of [*insert the day of the expiration of six months from the date*], or until she completes her voyage from [*insert the port at which the certificate is given*] to some port at which there is a British registrar, whichever first happens.' The provisional certificate must be signed by the consul instead of by the registrar, and must be sealed with his official seal. No official number is inserted.

"He will keep a duplicate of the certificate, and send it with the declaration to the Registrar-General of Shipping and Seamen on the first convenient opportunity, and in so doing he will endorse on the certificate a statement of the British port to which the ship is bound.

"He will warn the master and the purchaser, or his agent, that the provisional certificate is only in force until the ship reaches the first British port at which there is a registrar, or at the expiration of six months, whichever first happens, and that she must then be surveyed, measured, and completely registered."

MORTGAGES AND SALES OF SHIPS IN FOREIGN PORTS.

“All transfers of ships will henceforth be made, not by endorsement on the certificate of registry, which is no longer a document of title, but by entry in the register books. As, however, there are numerous cases in which an owner may desire to sell or mortgage his ship when away from the port of registry, the following plan is adopted.”

Certificates of Sale and Mortgage.

“The owner will obtain from the registrar at the port of registry a certificate containing a power to sell or mortgage the ship. This document will be in the Form M. or N. in the schedule to the Act (as the case may be); it will contain the names and descriptions of the persons by whom, and the limits of time within which it is to be exercised, and the place or places (if it is intended to fix the place) at which it is to be exercised, and also in cases of mortgage the maximum amount of charge to be created, if it is intended to fix a maximum, and in cases of sale the minimum amount of purchase-money, if it is intended to fix a minimum. These particulars will, when the certificate is given, be entered in the register book, so that persons at home purchasing or advancing money on the ship will have full notice of all sales or encumbrances made under the certificate whilst the ship is abroad. Mortgages and sales duly

made in exercise of the powers thus given will have just the same effect as if they had been made in the register book, viz. they will give a good title, except against persons of whose prior claims the purchaser or mortgagee has actual notice. Mortgages and sales made under common powers of attorney are not absolutely prohibited, but they will have no validity against sales or mortgages made under certificates abroad, or by entry in the registry book at the port of register, and those who take under them will therefore do so at their own risk."

Duty of Consul in respect of Mortgage made under Certificate.

"The duty of the consul in respect of mortgages to be made under these certificates will be as follows :—

- (1) In cases of certificates of mortgage, which may be exercised in favour of foreigners as well as of British subjects, he will see that the document presented to him is in the form and contains the particulars required by the Act, and that it is signed by the registrar of the port of registry.
- (2) He will see that the proposed mortgage is in accordance with the terms of the certificate, and that the person or persons exercising the power is or are the person or persons named for that purpose in the certificate, and he will warn the mort-

gagee that if this is not so, his security will not be good.

- (3) He will record upon the certificate the particulars of the mortgage, in the form given in the note to the Form M. in the schedule, or as near thereto as may be, taking care in no case to state unnecessary particulars, or to encumber the certificate with anything but the bare terms of the mortgage; and he will sign the record and affix his consular seal.
- (4) He will be careful to make this record as soon as the certificate is produced to him for the purpose, and to insert the day and hour on which it is done.
- (5) If two or more mortgages are produced to him for endorsement, he will record them in the order in which they are produced, whatever may be their respective dates."

Transfer of Mortgage made under Certificate.

"If a mortgage made under a certificate of mortgage is transferred, and the instrument of transfer is produced to the consul, he will record upon the certificate of mortgage the fact of the transfer and the name of the transferee, and the date and hour of its being recorded, and will also make a memorandum on the instrument of transfer to the effect that it has been so recorded, stating the date and hour of such record."

*Discharge of Mortgage made under a
Certificate.*

“Whenever a mortgage under a certificate of mortgage is discharged, and the mortgage deed, with a receipt for the mortgage money endorsed thereon, signed by the mortgagee, or by some duly authorized agent of the mortgagee, and attested, is produced to the consul, whether such consul be the person in whose presence the mortgage has been made or not, he will make an entry upon the certificate of mortgage to the effect that the mortgage is discharged, and will sign such entry and affix his consular seal.

“The effect of this entry will be to place the title of the ship in the same condition as if the mortgage had not been made. The consul will warn the parties to this effect, and that no reconveyance or other legal document is necessary.”

*Certificate of Mortgage to be redelivered to
Registrar.*

“The consul will warn the parties to any dealings upon a certificate of mortgage, that it will be necessary to redeliver it to the registrar of the port of registry of the ship as soon as it can conveniently be done.”

Duty of Consul in respect of Certificates of Sale.

“In cases of certificates of sale, the consul will only have to deal with transfers to foreigners, as the Act does not require him to take any part in transfers made at a foreign port, under these certificates, to British subjects. In cases of such last-mentioned transfers, the ship must be registered anew; and for this purpose the certificate of sale, accompanied by the bill of sale and the proper declarations, must be transmitted to the registrar at the port of registry.

“In cases of sale to foreigners, the consul will see that the certificate of sale is in the form and contains the particulars required by the Act, and that it is signed by the registrar at the port of registry.

“He will see that the proposed sale is in accordance with the terms of the certificate, and that the person or persons exercising the power is or are the person or persons named in the certificate, and he will warn the purchaser that unless this is so, his title will not be good. He will require to be produced to him the bill of sale by which the ship is transferred, the certificate of sale, and the certificate of registry, and will retain the certificates of sale and registry; he will then endorse on both of such certificates the fact of the sale, stating shortly the name and description of the transferee, the amount of the purchase money, and the date of the transfer. He

will then forward these certificates, by the first opportunity, to the registrar of the port at which the ship was registered. He will warn the parties that unless the certificates of sale and registry are produced to him, as before mentioned, the sale will be invalid, and the purchaser will acquire no title."

Revocation of Certificates of Sale and Mortgage.

"In order to enable persons who have granted certificates of sale and mortgage to revoke them, provision is made to enable the registered owner of any ship for which a certificate of sale or mortgage has been granted, to require the registrar by whom the same was granted to give notice to the consul at the place where the power given by the certificate is to be exercised that the certificate is revoked. In such cases the registrar will give such notice by a document in the Form O. in the schedule to the Act, signed by him and addressed to the consul. The consul, on receiving such notice, will immediately record it, stating the day and hour of the receipt of the notice and of the record; and, if the certificate of sale or mortgage is produced to him, will acquaint all parties producing such certificate, or proposing to deal thereunder, that he has received such notice, and will show it to them, and will warn them that no dealing under the certificate subsequent to the date of the record will be valid. The consul will also, immediately upon receipt of any such notice,

write to the registrar from whom it comes, and inform him whether the powers given by the certificate have previously been exercised."

Instruments should be in Forms given in Schedule to Act.

"The consul will warn the parties to these transactions that bills of sale and mortgages will be valid and sufficient if made in the forms contained in Forms E. and I. in the schedule to the Act, or as near thereto as circumstances permit, and that lengthy legal documents are an unnecessary expense and inconvenience, and may prove otherwise prejudicial."

Book to be kept for before-mentioned Particulars.

"For the purpose of recording transactions in ships under the before-mentioned provisions, the consul will keep a book in which he will record in order every mortgage, transfer of a mortgage and discharge of a mortgage, and every sale made before him, stating the date and hour, the names and addresses of the parties, the name, official number, and port of registry of the ship, the consideration paid or advanced, and, in case of a mortgage, the interest. He will also record in the same book any revocation of a certificate of sale or mortgage. He will allow any person to inspect this book at all reasonable hours, and he will at the end of every

quarter send a transcript of the entries for the preceding quarter to the Registrar-General of Shipping and Seamen, London."

PROVISIONS, HEALTH, AND ACCOMMODATION.

Complaint by Seamen to Consul of Provisions or Water.

"Any three or more of the crew of a British ship may complain to a consul that the provisions or water for the use of the crew are of bad quality, unfit for use, or deficient in quantity, and the consul will, unless he is satisfied that it is frivolous or vexatious, have the provisions or water examined. If the result of the examination is such as to satisfy him that the complaint is well founded, he will cause a notice in writing, under the hand of the person making the examination, to be given to the master of the ship, specifying the particulars in which the provisions or water are found to be bad, unfit, or deficient, and requiring the master to provide proper provisions or water, or to make up the quantity, as the case may require, and giving him notice that if he fails to do so, he will be liable to a penalty of £20. If, on the other hand, the result of the examination shows that there was no reasonable ground for the complaint, each of the parties complaining will be liable to forfeit to the owner one week's wages, and of this the consul should apprise the complainants when the complaint is first made.

Whenever any such examination as aforesaid has been made, the consul will enter in the official log-book the result of the examination, and will also send to the Board of Trade a report containing the names of the complainants, the particulars of the complaint, an account of the examination and of the result thereof, and of the steps, if any, thereupon taken by the master; such report to be signed by the consul, and sealed with his official seal. The consul will be particularly careful and accurate in framing this report, as it may be produced in evidence in subsequent legal proceedings instituted either against the master for the penalty, or for the allowances mentioned in the 223rd section of the Merchant Shipping Act, 1854, or upon a question as to forfeiture of wages under the 222nd section."

Masters to keep Weights and Measures on Board.

"Every master shall keep on board proper weights and measures for the purpose of determining the quantities of the several provisions and articles served out, and shall allow the same to be used at the time of serving out such provisions and articles, in the presence of a witness, whenever any dispute arises about such quantities, and in default shall for every offence incur a penalty not exceeding £10."

Allowance for Short or Bad Provisions.

“If, during a voyage, the allowance of any of the provisions which any seaman has by his agreement stipulated for is reduced (except in accordance with any regulations for reduction by way of punishment contained in the agreement, and also except for any time during which such seaman, wilfully and without sufficient cause, refuses or neglects to perform his duty, or is lawfully under confinement for misconduct, either on board or on shore); or if it is shown that any of such provisions are, or have during the voyage been, bad in quality and unfit for use; the seaman shall receive by way of compensation for such reduction or bad quality, according to the time of its continuance, the following sums, to be paid to him in addition to and be recoverable as wages; that is to say :—

- (1) If his allowance is reduced by any quantity not exceeding one-third of the quantity specified in the agreement, a sum not exceeding fourpence a day;
- (2) If his allowance is reduced by more than one-third of such quantity, eightpence a day;
- (3) In respect of such bad quality as aforesaid, a sum not exceeding one shilling a day.

But if it is shown to the satisfaction of the court before which the case is tried that any provisions, the allowance of which has been reduced, could not

be procured or supplied in proper quantities, and that proper and equivalent substitutes were supplied in lieu thereof, the court shall take such circumstances into consideration, and shall modify or refuse compensation, as the justice of the case may require."

HEALTH.

Ship Captains' Medical Guide.

"Section 4, paragraph 1, of the Merchant Shipping Act, 1876, provides that the Board of Trade shall 'prepare or sanction a book or books containing instructions for dispensing the medicines and medical stores to be carried on board ships, in accordance with the scale issued and published by them under the Act in question.' By paragraph 2 of the same section it is also provided 'that the owners of every ship navigating between the United Kingdom and any place out of the same shall provide and cause to be kept on board such ship a copy of such book, or of one of the said books containing instructions.' In pursuance of the powers vested in them by the above-named s. 4 of the Act, the Board of Trade have accordingly caused to be prepared, and have sanctioned, the book bearing the title of 'Ship Captains' Medical Guide,' which has been compiled by Harry Leach, Esq., M.D., Port of London Sanitary Office, Deptford, the medical officer appointed by them for the port of London. The work is published by Simpkin, Marshall, & Co., 4, Stationers' Hall

Court, London, E.C., and can be procured of the publishers through all booksellers and stationers. The price of each copy is one shilling."

Scale of Medicines and Medical Stores.

SCALE OF MEDICINES AND MEDICAL STORES issued and caused to be published by the Board of Trade in pursuance of the Merchant Shipping Act, 1867.

Preparations from British Pharmacopœia, 1867. This Column is added for the use of Druggists supplying the Medicines indicated.	Names of Medicines, Medicaments, etc.	Proportion for Ships carrying the under-mentioned number of Men and Boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
Copaiba	Alum	1 oz.	2 ozs.	3 ozs.
	Balsam of copaiba	4 ozs.	8 "	12 "
	Bicarb. of soda	8 "	12 "	16 "
*Mist. Sennæ Co.	Black draught	1 pint	2 pints	3 pints
Lotio Hydrarg. Nigra	Black wash	1 "	2 "	2 "
A mixture containing in each 100 parts not less than 80 parts of Carbolic (or Phenic) and Cresylic Acids, and their Homologues; and not more than 20 parts of water.	†Carbolic acid, liquid	$\frac{1}{2}$ gal.	1 gal.	2 gals.
	Or crystal	$\frac{1}{2}$ lb.	1 lb.	2 lbs.
	Castor oil	1 lb.	2 lbs.	3 lbs.
	†Chloralum or } †Chloride of zinc (so- lution of)	4 pints	8 pints	16 pints
Potassæ Tartras Acida	Cream of tartar	2 ozs.	4 ozs.	8 ozs.
	†Condyl's Crimson Fluid	$\frac{1}{2}$ pint	1 pint	1 pint
	Epsom salts	3 lbs.	6 lbs.	12 lbs.
Ess. Ment. Pip.	Essence of pepper-mint	—	1 oz.	2 ozs.
Tr. Zingib. Fortior.	Essence of ginger	—	1 "	2 "
Liq. Plumbi Subacet. dil.	Goulard's extract	1 oz.	2 "	4 "
	Iodide of potassium	—	2 "	4 "
Tr. Opii	Laudanum	2 ozs.	4 "	8 "
	Linseed meal	—	14 lbs.	28 lbs.
Argenti Nitras	Lunar caustic	$\frac{1}{2}$ oz.	$\frac{1}{2}$ oz.	1 oz.
	Nitrate of potash	2 ozs.	4 ozs.	8 ozs.
Ung. Resinæ	Ointment, Basilicon	3 "	6 "	10 "

* Omit extract of liquorice, and substitute aromatic spirit of ammonia, 1 oz. to 1 pint of the mixture.

† As antiseptic and deodorizing agents for common use.

‡ For purifying drinking water when necessary.

Preparations from British Pharmacopœia, 1867. This Column is added for the use of Druggists supplying the Medicines indicated.	Names of Medicines, Medicaments, etc.	Proportion for Ships carrying the under-mentioned number of Men and Boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
Ung. Hydrargyri	Ointment Mercurial	1 oz.	2 oz.	4 oz.
„ Simplex	Do. Simple	6 ozs.	12 „	16 „
	Olive oil	—	8 „	12 „
Lin. Opii	Opodeldoc	3 ozs.	6 „	10 „
Tr. Camph. Co. . . .	Paregoric	4 „	6 „	8 „
Pil. Hydrarg. . . . 5 gr.	Pills, Blue	1 doz.	2 doz.	3 doz.
„ Ipecac. & Scillâ. 5 gr.	Do. Cough	2 „	4 „	6 „
„ Sapon. Co. . . . 5 gr.	Do. Opium	1 „	2 „	3 „
„ Coloc. & Hyosc. 5 gr.	Do. Purging	3 „	6 „	8 „
„ Rhei Co. . . . 5 gr.	Do. do. Mild	3 „	6 „	8 „
Pulv. Rhei Co. . . .	Powder, comp. rhubarb	2 ozs.	4 ozs.	8 ozs.
„ Catechu Co. } equal parts }	* Do. diarrhœa	1 oz.	2 „	3 „
„ Cret. Arom. } equal parts }	Do. Dover's	1 „	2 „	3 „
„ Ipecac. Co. . . .	Do. Ipecacuan. . . .	1 „	2 „	3 „
	* Quinine	1 „	2 „	3 „
Sp. Ætheris Nitrosi	Sweet Spirits of Nitre	1 „	2 „	3 „
	Sulphate of zino	1 „	2 „	3 „
	Sulphur (sublimed)	2 lbs.	3 lbs.	6 lbs.
Tr. Hyoscyami	Tincture of henbane	1 oz.	2 ozs.	3 ozs.
„ Rhei	„ rhubarb	4 ozs.	10 „	12 „
Lin. Terebinthinæ	Turpentine liniment	2 „	4 „	6 „
PARTICULARS.	Scales of Medical Stores and Necessaries.	Proportion for Ships carrying the under-mentioned number of Men and Boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
1 grain, 2 grains, etc., must be stamped in English figures and words on each respective weight; the word <i>scruple</i> must not be used at all (the scruple weight being marked 20 grains); the $\frac{1}{2}$ dram, 1 dram, and 2 dram weights must be also marked in English figures and words.	Adhesive plaster on unbleached calico in tin case	1 yard	2 yards	3 yards
	Lint	$\frac{1}{2}$ lb.	$\frac{3}{4}$ lb.	1 lb.
	Scales and weights	1 set	1 set	1 set

* Treble the quantity above indicated to be taken to all tropical ports.

PARTICULARS.	Scales of Medical Stores and Necessaries.	Proportion for Ships carrying the under-mentioned number of Men and Boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
The fluid drop measure must be marked <i>dram</i> and divided into 40 <i>drops</i> , the word <i>minim</i> being omitted altogether.	Graduated drop measure	—	1	1
The fluid 2-oz. measure must be marked 2 <i>ounces</i> , 1 <i>ounce</i> , 2 <i>tablespoonfuls</i> , 1 <i>tablespoonful</i> , and 1 <i>teaspoonful</i> .	Graduated 2-oz. measure	1	1	1
	6-oz. bottles	$\frac{1}{2}$ doz.	$\frac{1}{2}$ doz.	1 doz.
	Corks for bottles	1 "	1 $\frac{1}{2}$ "	2 "
	Scissors	—	1 pair	1 pair
	Syringes	2	2	4
	Lancet	1	1	1
	Abscess do. . . .	1	1	1
	Bandages	3	6	6
	Triangular do. . . .	2	3	4
Leg and arm size	Flannel do. . . .	1	1	2
Triangular bandage, base 48 in., sides 33 in. each.				
Flannel bandage, 7 yds. long, 6 in. wide.				
	Calico	3 yards	4 yards	6 yards
	Flannel	2 "	3 "	6 "
	Needles, pins, thread, and tape . .	—	1 paper	1 paper
	Splints, common	1 set	1 set	1 set
36 in. Single Reversible . .	Trusses	1	1	1
Printed directions for use .	Enema syringe	1	1	1
	Pewter cup	—	1	1
	Teaspoon (pewter)	—	1	1
	Bougies	1 set	1 set	1 set
No. 8 (<i>Gum Elastic</i>)	Catheter	1	1	1
	Bed-pan	—	1	1
	Arrowroot	2 lbs.	4 lbs.	8 lbs.
	Pearl barley	4 "	8 "	16 "
	Rice	4 "	8 "	16 "
	Corn-flour	4 "	8 "	16 "
	Sago	4 "	8 "	16 "
	Sugar	14 "	28 "	56 "
	Soup and bouilli	6 "	12 "	24 "
	Boiled mutton	6 "	12 "	24 "
	Essence of meat	6 tins	12 tins	24 tins
		($\frac{1}{4}$ pint)		
Preserved	Desiccated soup	4 lbs.	8 lbs.	16 lbs.
	Vegetables, dried, or compressed	4 "	8 "	16 "
	Potato (if not in scale of provisions)	14 "	28 "	56 "
	Wine (port)	3 bottles	6 bottles	12 bottles
	Brandy	2 "	4 "	6 "

Lime or Lemon Juice.

“The Merchant Shipping Act, 1867, provides that no lime or lemon juice shall be deemed fit and proper to be taken on board any British ship, for the use of the crew or passengers thereof, unless the same has been obtained from a bonded warehouse for and to be shipped as stores; and no lime or lemon juice shall be so obtained or delivered from any warehouse as aforesaid unless the same is shown, by a certificate under the hand of an inspector appointed by the Board of Trade, to be proper for use on board ship, such certificate to be given upon inspection of a sample after deposit of the same lime or lemon juice in the warehouse; nor unless the same contains 15 per cent. of proper and palatable proof spirits, to be approved by such inspector, or by the proper officer of customs, and to be added before or immediately after the inspection thereof; nor unless the same is packed in such bottles, at such time and in such manner, and is labelled in such manner, as the Commissioners of Customs may direct. Provided that when any such lime or lemon juice is deposited in any bonded warehouse, and has been approved as aforesaid by the inspector, the said spirits, or so much of the said spirits as is necessary to make up 15 per cent., may be added in such warehouse without payment of any duty thereon; and when any spirit has been added to any lime or lemon juice, and the same has been labelled as aforesaid, it shall

be deposited in the warehouse for delivery as ship's stores only, upon such terms and subject to such regulations of the Commissioners of Customs as are applicable to the delivery of ship's stores from the warehouse."

On what Voyages to be carried.

"The master or owner of every such foreign-going ship (except those bound to European ports or to ports in the Mediterranean Sea, and also except such ships or classes of ships bound to ports on the eastern coast of America north of the thirty-fifth degree of north latitude, and to any islands or places in the Atlantic Ocean north of the same limit, as the Board of Trade may from time to time exempt from this enactment) shall provide and cause to be kept on board such ship a sufficient quantity of lime or lemon juice from the warehouse, duly labelled as aforesaid, such labels to remain intact until twenty-four hours at least after such ship shall have left her port of departure on her foreign voyage; or a sufficient quantity of such other anti-scorbutics, if any, of such quality, and composed of such materials, and packed and kept in such manner, as her Majesty by Order in Council may from time to time direct."

Quantity, and how to be served.

"The master of every such ship as last aforesaid shall serve or cause to be served out the lime or lemon juice with sugar (such sugar to be in addition

to any sugar required by the articles), or other such anti-scorbutics as aforesaid, to the crew so soon as they have been at sea for ten days, and during the remainder of the voyage, except during such time as they are in harbour and are there supplied with fresh provisions; the lime or lemon juice and sugar to be served out daily, at the rate of an ounce each per day, to each member of the crew, and to be mixed with a due proportion of water before being served out, or the other anti-scorbutics, if any, at such times and in such quantities as her Majesty by Order in Council may from time to time direct."

Refusal to take to be entered in the Official Log-book.

"If, at any time when such lime or lemon juice or anti-scorbutics is or are so served out as aforesaid, any seaman or apprentice refuses or neglects to take the same, such neglect or refusal shall be entered in the official log-book in the manner provided by the 281st section of the principal Act, and shall be signed by the master, and by the mate or some other of the crew, and also by the surgeon or medical practitioner on board, if any."

Penalties.

"And if, in any such ship as aforesaid, such medicines, medical stores, book of instructions, lime or lemon juice, sugar, or anti-scorbutics as are hereinbefore required, are not provided, packed, and kept

on board as hereinbefore required, the owner or master shall be deemed to be in fault, and shall for each default incur a penalty not exceeding £20, unless he can prove that the non-compliance with the above provisions, or any of them, was not caused through any inattention, neglect, or wilful default on his part; and if the lime or lemon juice and sugar or other anti-scorbutics are not served out in the case and manner hereinbefore directed, or if entry is not made in the official log-book in the case and manner hereinbefore required, the master shall be deemed to be in fault, and shall for each default incur a penalty not exceeding £5, unless he can prove that the non-compliance with the above provisions, or any of them, did not arise through any neglect, omission, or wilful default on his part; and if, in any case, it is proved that some person other than the master or owner is in default, then such other person shall be liable to a penalty not exceeding £20."

Power of Governors of British Possessions with regard to Lemon or Lime Juice.

"In any British possession out of the United Kingdom, the governor, or officer administering the government for the time being, shall, subject to the laws of such possession, have power to make regulations concerning the supply within such possession of lime or lemon juice and anti-scorbutics for the

use of ships ; and any lime or lemon juice or antiscorbutics duly supplied in accordance with any such regulations shall be deemed to be fit and proper for the use of ships."

ACCOMMODATION.

Seamen to have a certain Space for each Man, properly constructed and kept clear.

The following rules shall be observed with respect to accommodation on board British ships ; that is to say :—

- (1) Every place in any ship occupied by seamen or apprentices, and appropriated to their use, shall have for every such seaman or apprentice a space of not less than seventy-two cubic feet, and of not less than twelve superficial feet, measured on the deck or floor of such place.
- (2) Every such place shall be such as to make the space aforesaid available for the proper accommodation of the men who are to occupy it ; shall be securely constructed, properly lighted and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from effluvium which may be caused by cargo or bilge water.
- (3) No such place as aforesaid shall be deemed to be such as to authorize a deduction

from registered tonnage, under the provisions hereinafter contained, unless there is or are in the ship one or more properly constructed privy or privies for the use of the crew; such privy or privies to be of such number and of such construction as may be approved by the surveyor hereinafter mentioned.

- (4) Every such place shall, whenever the ship is registered or re-registered, be inspected by one of the surveyors appointed by the Board of Trade under part iv. of the principal Act, who shall, if satisfied that the same is in all respects such as is required by this Act, give to the collector of customs a certificate to that effect, and thereupon such space shall be deducted from the register tonnage.
- (5) No such deduction from tonnage as aforesaid shall be authorized unless there is permanently cut in a beam, and cut in or painted on or over the doorway or hatchway of every such place, the number of men which it is constructed to accommodate, with the words "Certified to accommodate seamen."
- (6) Every such place shall be kept free from stores or goods of any kind, not being the personal property of the crew in use during the voyage.

- (7) Upon any complaint concerning any such place as aforesaid, one of the surveyors appointed by the Board of Trade may inspect such place; and if he finds that any of the provisions of the Act with respect to the same are not complied with, he shall report the same to the collector of customs at the port where the ship is registered, and thereupon the registered tonnage shall be altered, and the deduction aforesaid in respect of space disallowed, unless and until it shall be certified by such surveyor, or by some other surveyor appointed by the Board of Trade, that the provisions of the Act in respect of such place are fully complied with.
- (8) If any such place in any ship is not kept free from goods and stores as aforesaid, the master shall be deemed to be in fault, and shall, for every such failure to comply with the provisions of this section of the Act, forfeit and pay to each seaman lodged in such place the sum of one shilling a day for each day, after complaint made to him by any two or more of such seamen, during which any goods or stores, not being the personal property of the crew, are stored or kept therein.
- (9) If in any other respect the provisions of this section of the Act are not observed with

PART III.

**THE CONSUL, THE SHIPMASTER, AND
HIS CREW.**

THE CONSUL, THE SHIPMASTER, AND HIS CREW.

THE consul's duties under this head are very onerous and important. Under the Merchant Shipping Acts many special functions and powers are committed to him; but he will remember that, independently of these special duties, he is looked upon as the representative of British law in his consulate; that his position is one the authority and functions of which it is impossible to define with the same strictness as in the case of public officers acting within the British dominions; that he will frequently be appealed to as an arbitrator; and that upon his patience, judgment, and temper, in settling differences which may arise amongst the crews of merchant ships, must often depend the welfare and safety of many important lives, and of much valuable property.

Deposit of Ship's Articles.

The master of a British ship arriving at any foreign port where there is a British consular officer, and remaining thereat for forty-eight hours, must deliver to such consular officer the Articles of Agreement with his crew, and all indentures and assignments of apprenticeships; by failing to do so he

incurs, for every such default, a penalty not exceeding £20. These documents remain deposited in the consulate until a reasonable time before the ship's departure, when they are returned to the master with the consul's written endorsement upon the articles of agreement, under his hand and seal, of the dates, respectively, of the ship's arrival, of the deposit of the articles, and of their return to the master.

Although the law has limited to forty-eight hours within which time the master must, at a foreign port, deposit his ship's papers at the consulate, it will, in most cases, be necessary for him to deliver them at the earliest possible moment after his arrival, as in many countries the ship's entry at the custom-house cannot be made without the presentation of the consul's certificate, showing that the ship's papers have been deposited with him.

In the event of any accident or occurrence during the voyage, by which the ship or cargo may have received damage, the master would do well, in the interests of all concerned, to note protest within twenty-four hours of his arrival in port, unless his presence is absolutely necessary on board his ship, in which case it should be done as early as possible after going on shore.

Complaints to Consul by Seamen.

Any seaman or apprentice who desires to make complaint to the consul, is permitted to go ashore in proper custody to make such complaint, under a

penalty of £10 on the master if, without reasonable cause, he refuses to allow it.

Powers of Inquiry by Consuls.

In any case where the consul has reason to suspect that any provisions of the Merchant Shipping Acts, or any laws concerning seamen or navigation, are not complied with, he may require the owner, master, or any of the crew of any British ship, to produce any Official log-books or other documents relating to the crew; he may call for a list of the crew; he may take copies of the documents; he may muster the crew; and he may require the master to give any explanation concerning the documents: and any person disobeying is liable to a penalty not exceeding £20.

Notice of Epidemic Diseases, etc.

If there is any epidemic disease raging at the place, or if there are any disturbances or other causes making it unsafe or improper for British ships to enter into the port, or stay there, the consul will take such means as he can to warn the masters, on their arrival, of the danger.

Notice of Local Regulations.

The consul will, so far as is in his power, make known to British shipmasters the various local regulations to which they may be subject on their entry

or during their stay in port, and will assist them in complying with such regulations; so that, on the one hand, the local laws may be obeyed, and so that, on the other, British shipmasters may not be subjected to unnecessary inconvenience.

DISCIPLINE.

“The consul’s duties under this head are extremely important; but as the mode in which he must act must depend, in a great measure, upon the country in which he is, and the position and powers there given to him, it is impossible to lay down general rules which will meet every case, and he must be guided by his own discretion, and by such particular instructions as may be given him from time to time. Section 243 of the Merchant Shipping Act, 1854, contains a list of the principal offences committed on board ships, and their respective punishments; but throughout the whole of the third part of that Act will be found provisions bearing more or less on the subject of discipline, and upon the various questions which arise between a master and his crew.

“In grave cases, however, which the consul feels involve great responsibility, he will do well, when practicable, to avail himself of the assistance of a Naval Court.”

AGREEMENTS WITH SEAMEN.

“Whenever a seaman is engaged in any British ship in any port where there is a consul, the sanction of the consul must be obtained. The consul must cause the Agreement to be read over and explained to the seaman, or otherwise ascertain that the seaman understands it before he signs it. The seaman must then sign it in the consul’s presence, and the consul must attest the signature and endorse on the agreement a statement in the Form (C. 7) directed by the Board of Trade. Every master who engages any seaman in any place in which there is a consular officer, and fails to obtain the sanction of such consular officer, incurs a penalty not exceeding £20.

Alteration in Agreements.

“In all cases where an agreement has been made with seamen, and the parties to it desire to make an alteration in it whilst at a foreign port, all persons interested in the alterations must appear before the consul and signify their consent, and the consul must endorse upon the agreement an attestation that the alteration has been made with such consent, in the Form C. 8, as directed by the Board of Trade. Every person who fraudulently alters or assists in altering, or makes or assists in making any false entry in, or delivers or assists in delivering a false copy of, any agreement, shall, for each such offence, be deemed guilty of a misdemeanor.”

SEAMEN DISCHARGED OR LEFT ABROAD.

“ It will be the consul's duty to prevent, as far as possible, British seamen being left unprovided for at his port. *In reading these instructions the word ‘seamen’ is to be taken as including apprentices.*”

“ When a seaman is discharged at a foreign port from any cause, except shipwreck, or from unfitness or inability, from illness, to proceed on the voyage, unless he has been guilty of barratry, or is undergoing a sentence of imprisonment imposed by a legally constituted court, he has a right to have adequate employment found for him by the master, or to be sent home at the expense of the owner. The consul will, therefore, not sanction his discharge unless adequate employment or subsistence and passage home, in addition to his full wages, is provided by the master. This applies equally to the case where the whole or part of a crew of a ship leave in consequence of termination of agreement, and the discharge of a single seaman by mutual consent before the agreement is terminated.”

Masters to be warned.

“ Masters should, therefore, be warned that if they do not comply with the requirements of s. 205 of the Merchant Shipping Act, 1854, they and the owners of their ships will be liable to repay all expenses, by whomsoever incurred, for the subsistence and passage home of the seamen.”

Payments to Seamen to be discouraged.

“Payments to the seamen themselves of sums to defray their expenses should be particularly discouraged, as there is always a great probability of their spending the money and then applying for relief.”

Deposits made with Consuls under s. 205, Merchant Shipping Act.

“In cases where the master makes a deposit with the consul under this section, the deposit is to be credited in the consul’s account with the Board of Trade, and the expenditure of each deposit, or any part of it, is to be charged therein, and duly supported by vouchers. Seamen in whose respect such deposits are made, are to be offered free subsistence and passage home; but if they decline it, or prefer to ship or obtain employment, the deposits are to be retained, and in no case to be given to the seamen, who have no claim to them except for the purposes for which they were deposited. The deposits are to be calculated so as to allow for passages at ordinary lowest fares. If it is proved to the satisfaction of the Board of Trade that the seamen have shipped in other vessels, or obtained other employment of a permanent nature, and that there is no reasonable probability of their becoming a charge upon the Government, the Board of Trade will return the deposits on application.”

Forcing Men ashore.

“Any master, or other person belonging to any British ship, who wrongfully forces on shore and leaves behind, or otherwise wrongfully and wilfully leaves behind, any seaman, is guilty of a misdemeanor, and it will be the consul's duty to report to the Board of Trade any such wrongful and wilful acts.”

In all Cases of Discharge, Application to be made to Consul.

“Whenever the master of any British ship proposes to discharge or leave behind, in any foreign port, any person belonging to a ship, he must apply to the consul. The consul will then examine into the grounds of the proposed discharge, or into the grounds on which the man is to be left behind, and may, if he thinks it necessary, administer oaths for that purpose.”

Consent of Seamen necessary.

“In considering the propriety of granting or withholding this sanction, the consul will remember that the discharge cannot lawfully be effected without the consent of the man who is to be discharged, unless he is removed from the ship by order of a naval or other legally constituted court.”

When applied for on the Ground of Ill-Treatment.

“In cases where the application is by the seaman, and the ground alleged is ill-treatment or breach of agreement by the master, or danger on board, the consul must also be guided by his discretion; but he will remember that the case must be of a very grave character, and very distinctly proved, in order to entitle a seaman to his discharge before his contract is completely performed.”

When applied for on the Ground of Inability.

“In cases where the ground of the proposed discharge is unfitness or inability to proceed on the voyage, the consul will not grant his certificate unless he is satisfied that the man is in reality unable, through illness, to do his duty on board, or would be in danger or a cause of danger to others were he to proceed, and there is no reasonable prospect of his recovering in time to continue the voyage.”

Medical Certificate to be required in certain Cases.

“If the consul is not so satisfied, he should, before sanctioning the discharge, require the production of a certificate from an unbiassed medical practitioner, stating that the seaman's health or the health of those on board requires his removal from the ship. In all cases the expense of such certificate must be borne by the ship.”

Discharges at Ports where few Ships clear for the United Kingdom.

“Consuls at ports at which few ships clear for the United Kingdom should refuse, except in very exceptional cases, to sanction the discharge of seamen, especially when the ship is proceeding to other ports where there are greater opportunities of obtaining employment or passages home.”

Consular Certificate to be endorsed on Agreement.

“If the consul is satisfied that the discharge ought to be sanctioned, he will endorse upon the agreement a certificate in the Form C. 9, as directed by the Board of Trade. This endorsement should be written. Neither labels nor stamped impresses are legal. It should contain a distinct statement of the grounds of discharge, and, if the man is sick, should state his disease, and whether it was the result of hurt or injury in the service of the ship.”

Penalties accruing in Default of Sanction.

“Masters and owners being subject to heavy penalties and liabilities if men are left behind without such certificate, and the burthen of proving such certificate being thrown by the Act upon them, it is important that the consul should be careful that it is properly granted or withheld, and that he should satisfy himself of the correctness of the statement it

contains by proper evidence. The mere report of the master, unsupported by other testimony, ought in no case to be deemed sufficient."

Certificate of Discharge, etc., to be given to Seamen.

"Whenever any seaman is left behind on any ground except desertion, the consul will see that the master gives him a certificate of discharge in the form Dis. 1. as sanctioned by the Board of Trade. If the person discharged is possessed of a certificate of competency or service, and it is held by the master, the consul will see that it is restored to him."

Seamen discharged abroad from Scurvy, etc.

"Whenever any seaman is discharged on account of scurvy, or suffering from illness caused by insufficient food, water, accommodation, medicines, or anti-scorbutics, the consul should ascertain whether he has been supplied with proper food and water, according to his agreement; or with such accommodation, medicines, medicinal stores, or anti-scorbutics, as are required by the Acts of 1854 and 1867; if not, a special report of the case should accompany the Form C. 12, to enable the Board of Trade to judge whether a claim may not be made on the owners for any expenses incurred on account of the seaman."

Injury, in Service, of Men shipped in a British Possession abroad.

“In cases where it is necessary that a seaman, who has been shipped in a British possession, should be left behind on account of injury or hurt in the service of the ship, the consul should settle with the master and the seaman where the latter is to be sent when cured. In cases where delay and expense would be caused by sending him back to the possession in which he was shipped, and the seaman agrees to being sent to the United Kingdom, the consul should point out to the master that he and the owner are both liable to pay the man's expenses back to the port of shipment, and offer to release him and the owner from their liability in this respect, on his depositing a sum sufficient to defray the seaman's passage to the United Kingdom. Any sum so deposited should be credited in the consul's account current and the Form C. 18.”

Principles on which Amount of Wages is to be determined.

“Any questions that may arise in estimating the sum due for wages will be decided by the same rules of law by which they would be decided in judicial proceedings in England. In cases of wreck, the seaman will be entitled to wages for all the time prior to the date on which he quits the service of

the ship, unless it is shown that he has not exerted himself to the utmost to save the ship, cargo, and stores. But such right terminates with the termination of the service."

Balance of Wages, when paid to Seamen.

"If the seaman is discharged or left behind, on any other ground than unfitness or inability, from illness, to proceed on the voyage, unless he has been removed from the ship by order of a naval or other legally constituted court, the master will deliver to him an account of his wages, and will pay to the seaman himself the amount which is proved to be due. The consul's duty will merely consist in seeing that the matter is properly transacted, and in arbitrating between the parties if necessary. He has no judicial power vested in him, but the power of granting or withholding his sanction to the discharge will generally enable him to see that justice is done."

Wages, when discharged by a Court.

"If the seaman is discharged in consequence of an order of a naval or other legally constituted court, his wages, unless otherwise appropriated by the court, are applicable to meet his expenses, and should be dealt with as in the case of men discharged through illness."

If the Man is left on Consul's Hands, an Account of Wages must be given. No Deduction, except in Special Cases, on account of Illness.

“If the cause of discharge is unfitness or inability to proceed on the voyage on account of illness, the consul will require from the master a full and true account, *in duplicate*, of the wages due, on the Form (C. 12) sanctioned by the Board of Trade. In filling up the certificate at the foot of the Form C. 12, the consul will, in all cases, state the nature of the illness, mentioning particularly whether it is the result of hurt or injury in the service of the ship. This account is to be examined and compared with the agreement and official log-books or other book in which deductions from wages are entered, and no such deduction is to be allowed unless it is duly entered and proved to the satisfaction of the consul to be just. The seaman's wages should be demanded to the date of the consular certificate (C. 9), and not to the date of his going off duty or going to hospital. No deduction should be allowed for time during which a seaman is off duty from illness, unless it is proved that such illness has been caused by his own wilful act and default. Reasonable medical expenses may be deducted. The account should be submitted to the seaman for his approval, unless he is, from illness, incapable of attending to it.”

Balance to be paid to Consul.

“The master is then to pay the balance to the consul, either in money or by a bill drawn upon the owner, and also to deliver the effects of the seaman to the consul. Whenever practicable, the payment is to be made in money; but when the payment is by bill, the consul will certify on the bill that it is drawn on account of seaman’s wages, and see that the seaman endorses it. The bill should be drawn *at sight*. The consul will then give to the master one of the Forms C. 12, duly receipted, informing him that he will be called upon to deliver it to the superintendent of the mercantile marine office at his port of destination in the United Kingdom; and the consul will add to the certificate (C. 9) a statement of the circumstances under which the seaman has been left in his charge, specifying the amount of wages, or other property, which has been paid to the consul, and whether it was paid in *money* or by *bill*.”

WHEN INJURED IN THE SERVICE OF THE SHIP.

“When the master or any seaman or apprentice receives any hurt or injury in the service of the ship to which he belongs, the owner is liable to pay not only his medical expenses and subsistence (including necessary clothing), but also the expenses of his conveyance to some port of the United Kingdom, if shipped in the United Kingdom, or, if shipped in a

British possession, to some port in such possession. Cases will perhaps arise when it is desirable to send a man so hurt or injured, who has been shipped in the United Kingdom, to a port not in the United Kingdom, or a man shipped in a British possession to a port not in such possession. In such cases, however, the owners are not liable, and a man must not be sent at Government expense to one port, however desirable, if the owners are liable to pay the expenses of his conveyance to another. If, however, the man desires to be sent to some port other than those to which the owner is liable to pay the cost of his conveyance, and is willing to bear the expense himself out of his wages, and the wages are sufficient to bear the whole expense, he may be sent to such port at his own cost."

Money received as Wages, etc., how to be accounted for and paid.

"The money received on account of seamen's wages must be brought into the quarterly account current with the Board of Trade (Form C. 26), and Forms C. 12 sent with the account, for all seamen discharged on the ground of unfitness or inability. The form should be sent in every case in which expenditure is incurred, whether any balance of wages is due or not. If the cause of unfitness or inability is injury in the service of the ship, the balance should be paid to the seaman on his recovery,

without deduction, except under the special circumstances provided for in the preceding paragraph. If the cause of unfitness or inability is not injury in the service of the ship, all expenses must be deducted from the *money* received, and, if the seaman obtains employment in another ship or permanent employment on shore, but not otherwise, the balance may be paid to him. On making this payment, the consul will deliver to the seaman an account, on Form C. 13, of the sums received and expended on his behalf, a copy of which, with the seaman's receipt of the balance, must be transmitted by the consul to the Board of Trade, as a voucher for the payment, which is to be charged in his quarterly account current, under the head of "Balance of wages paid to seamen."

If a Seaman is sent to another Port.

"If the consul finds it necessary to send the seaman to another port abroad, in search of employment or for a passage home, the balance is not to be paid to him, but the consul at the port (or shipping officer, if in a British possession) is to be advised of the amount of the balance in the Form C. 16*a*, and the circumstances which rendered his transfer to another port necessary should be fully stated in column 23 of Form C. 20.

If sent Home under order Form C. 16, or when Wages are paid by Bill.

“If the seaman is sent home under order Form C. 16” (see paragraphs under heading “Sending Distressed Seamen Home”), “or if the wages of the seaman have been paid to the consul by *bill*, he is not to pay the seaman the balance, but refer him to the Board of Trade for settlement. The bill should be sent to the Board of Trade by the earliest opportunity, with the Form C. 12; and the Board of Trade, upon receiving a copy of the account (Form C. 13), with an explanatory statement from the consul, will, if any balance is due to the seaman, pay it to him upon his return to England. It is very important that the Form C. 13 should be despatched as soon as the seaman leaves the port, as any delay may cause great inconvenience. The consul is not to make any advance to the seaman on the security of the bill.

In Case of Death.

“Should the seaman die, the account is to be rendered as in the case of wages and effects of deceased seamen.” (See paragraphs under heading “Wages and Effects of Deceased Seamen.”)

DESERTION OF SEAMEN.

Recovery of Deserters.

“In cases of desertion, when the foreign authorities are required by treaty to give assistance, or where, without such treaty, they are willing to do so, the consul will, if desired so to do by the master, and if satisfied of the justice of the case, apply to the local authorities to have the deserter arrested and placed on board; any expenses, however, attending this proceeding must, in all cases, be paid by the master.”

Further Steps in Case of Desertion.

“Whenever a seaman is left behind on account of desertion, an entry of such desertion must be made in the official log-book, and must be signed by the master and by the mate, or one of the crew. This entry in the log-book must be shown to the consul, and he will then examine into the allegation of the desertion so made; and if, after full inquiry, he is satisfied that it is correct, but not otherwise, he will endorse upon the agreement a certificate to this effect in the Form C. 10, and report the desertion to the Registrar-General of Seamen on Form C. 19a.”

RELIEF OF DISTRESSED SEAMEN.

Persons to be relieved.

“The claim of seamen to be relieved abroad and sent home is subject to the following regulations, and dependent on the following conditions; and all expenses charged to the Board of Trade by the consul, which are not authorized by instructions, will be liable to be disallowed. The persons to be relieved under the direction of the Board of Trade are seafaring persons, being British subjects, who, having been engaged either in British merchant ships, or in her Majesty's ships, or in ships belonging to any foreign power or to any foreigner, are shipwrecked, discharged, or left behind, and are found in distress in foreign ports. In all cases in which seamen discharged from other than registered British ships apply for relief, the consul will satisfy himself that they are *bonâ fide* British subjects, and will report the particulars of their last engagement and the circumstances under which they became distressed.”

Relief of Foreigners.

“Foreigners who have served in British ships, and who are in distress within the limits of the consulate, may be relieved in the same manner as British seamen, *provided that they cannot obtain relief from their own consuls, to whom application should*

always be made, and their distress is immediately consequent upon and owing to their employment under the British flag." (See paragraphs under heading "Sending Distressed Seamen Home.")

Limit of Time.

"If six months have elapsed since a seaman left his last ship, he ceases to be a Distressed Seaman within the meaning of these instructions, and is entitled to no relief whatever. Relief, however, may be extended to any seaman beyond this period, provided that he came in charge either of the consul or of the local authorities within those six months, for such period as he remains continuously in the consul's charge beyond this limit."

Stowaways.

"Stowaways, and other persons not on the Articles of a ship, left in distress at the consul's port are not entitled to relief as distressed seamen, unless they have been employed or engaged in some capacity on board the ship leaving them behind."

Persons refusing Employment.

"No seaman fit for work, even if shipwrecked, has any claim to be sent home, or relieved in any way at the public expense, if he refuse to work his passage home or to accept reasonable employment."

Rate of Relief.

“Distressed seamen are to be relieved upon *the most reasonable terms in the consul's power.* No higher rate is to be paid for a mate than a common seaman, and relief is only to be given until employment can be found, or the seaman can be sent away.”

Seamen sick on Board.

“Seamen falling or being sick while their ships are in port are not to be considered as on that account entitled to relief. The consul may, however, take charge of any such sick seaman, if for the purpose of preventing infection, or otherwise for the convenience of the ship, it is considered desirable that he should be temporarily removed from the ship. Should the seaman subsequently return to his duty, the expense of removal and of providing the necessary advice and medicine, and of his subsistence while away from the ship, must be paid by the master. If, however, he is so ill when the vessel sails, as to be unable or unfit to proceed on the voyage, the consul may sanction his discharge on the ground of inability to proceed on the voyage; but the consul should require the master to pay his expenses up to the date of the consul's certificate on the Articles of his inability to proceed, together with the wages due to the seaman up to that date.”

Men injured in the Service of the Ship, and Men discharged or left behind illegally.

“For any expense the consul may incur at his port in respect of masters and seamen injured in the service of the ship, or for seamen discharged or left behind illegally, whether for medical advice, subsistence (including necessary clothing), or burial, the masters and owners are liable. If such expense is not repaid on the spot by the master, it is to be entered in the accounts, and supported by separate vouchers, and an account in the Form C. 18 is to be transmitted to the Board of Trade, in order that the amount may be recovered from the owner.”

Men shipwrecked.

“In cases of shipwreck of British vessels, where the master or crew apply to the consul for assistance while engaged in remaining by the wreck for the preservation of the property or for the collection and disposal of the materials and stores, they are, while so employed, *not* to be considered as distressed seamen.”

Clothing may be supplied.

“Distressed seamen may, if necessary, be supplied with clothing, but the consul is to take particular care that they are not provided at the public expense with more clothing, or more expensive clothing, than is absolutely necessary. No more expensive clothing is to be supplied to mates than to common seamen.”

Bedding.

"No bedding is to be purchased for them, except in cases of necessity, when it should be charged under column 15 of Form C. 20."

Medical Assistance.

"The consul may provide distressed seamen, when necessary, with medical advice and medicine."

Hospitals.

"The consul should request hospital authorities to inform him of all British seamen received into the hospital, within twenty-four hours of their admittance."

Seamen's Discharge to be notified to Hospital Authorities.

"The consul should inform the authorities as soon as possible when any seaman in hospital is discharged from his ship, and make them clearly understand that, until such discharge is notified by him to them, the seaman remains at the charge of the ship and not of the consul."

Extraordinary Expense.

"In any case of unusual expense, or when the consul considers it absolutely necessary to deviate from his instructions in relieving seamen, he must

be very particular in explaining the cause in a letter accompanying his accounts."

Men in charge more than One Month.

"Should it become necessary to continue men in charge longer than one month, an explanation should be furnished with the accounts."

Conveyance of British Seamen rescued at Sea.

"Whenever a vessel with distressed British seamen on board, who have been rescued or picked up at sea, arrives at the port, the consul shall pay to the master of the ship, for the conveyance of such men, the sum of 2s. a day for each master and 1s. 6d. a day for each seaman subsisted on board, if she is a sailing vessel, or, if she is a steam vessel, 3s. a day each for master and seamen. Every sum paid for subsistence in cases of this nature should be entered in column 16 of the Form C. 20, and vouched for by the receipt of the master for the amount."

REWARDS FOR SERVICES RENDERED TO BRITISH SHIPS.

"If subsistence is refused, or if there are any special circumstances connected with the rescue, the consul should obtain particulars on the Form C. 35, and forward it to the Board of Trade, in order that her Majesty's Government may have it in their power to consider the propriety of making some acknowledgment or bestowing some reward."

Rewards to Foreigners for Services to British Ships or British Subjects.

“For a similar reason, the consul will also, in any case where the lives of British subjects have been saved by foreigners, or where very meritorious services have been rendered by foreigners to British ships or British subjects, report the case to the Foreign Office.”

RELIEF OF DISTRESSED SEAMEN BELONGING TO THE
DOMINION OF CANADA.

Whenever a distressed seaman belonging to the Dominion of Canada receives relief, an affidavit, in the form issued by the Board of Trade, which has been approved by the Canadian Government, should be laid before him for his signature. The object is to enable the Board of Trade to obtain repayment from the Canadian Government of the expenses incurred in respect of the seaman. The affidavits should be sent home with the quarterly accounts. In any case in which the seaman is unable to make the affidavit, the reason must be stated against his name in the column for remarks in the subsistence list (C. 20).

RELIEF OF DISTRESSED LASCAR SEAMEN.

Whenever a distressed seaman, being a native of British India, is relieved, attention should be called to the fact by writing against his name, in the

column for remarks on the Form C. 20, the words
“native of India.”

RELIEF, ETC., OF MASTERS.

“Relief should be extended to masters in the following cases only :—

- (1) *When injured in the service of the ship.*—In such cases the owners are liable to repay all expenses, and masters may be relieved and sent home, an account of the expenses being forwarded to the Board of Trade on Form C. 18.
- (2) *When absolutely destitute, i.e. without private property, and unable to obtain credit or private assistance.*

“Masters may be subsisted at a rate not exceeding twice that allowed to seamen. Clothing of a somewhat better description than that allowed to seamen may be supplied to masters, but no unnecessary articles are to be supplied, and the cost of such article must never exceed twice the cost of the same article supplied to seamen.

“Masters may be sent home.”

SENDING DISTRESSED SEAMEN HOME.

Men in Distress to be sent Home as soon as possible.

“As soon as an opportunity offers, and it can be safely done, the seamen in receipt of relief from the consul, and who are unable to ship or to find employ-

ment, are to be sent to the United Kingdom, or elsewhere, as the case may require."

Ships to be chosen for this Purpose.

"For this purpose a British ship wanting men is to be preferred, so that they may, if able, work their passage home. The consul will ascertain the want of men by reference to the number of her original crew appearing on the agreement. If such a ship can be found, they should, if fit for it, be entered upon the Articles of the ship as part of her crew. If there is no ship wanting men at the place, and no immediate prospect of finding ships or permanent employment for the men, they are to be sent as supernumeraries in any British ship; so, however, that no one ship be required to take more than one supernumerary for every fifty tons of her registered tonnage."

Endorsement on Articles.

"The consul will endorse upon the Agreement of the ships in which men are sent home the name of each man put on board, specifying the day he embarks; and will also fill up, sign, and deliver to the master of the vessel an order in the Form C. 16."

Expense, how to be paid.

"The consul is not to pay masters of merchant vessels bringing home distressed seamen, but is to inform them that, upon their arrival at any port in

the United Kingdom, they are to deliver the aforesaid order to the superintendent of the mercantile marine office, properly filled up, who will pay them at the rate authorized by the Board of Trade, for every man brought home in excess of the number of the crew with which the vessel last left the United Kingdom."

Balances due to Seamen.

"Columns are provided in the form, in which the consul should give all the information necessary to enable the superintendent of the mercantile marine office at the port at which a man is landed to decide at once the balance, if any, due to him, and to settle with him on the spot."

When paid by Bill.

"Where the wages are paid by bill, the same particulars should be given on Form C. 16 as in cases where the wages are paid in cash, but the fact should be noted on the form, and the bill should be sent to the Board of Trade by the next mail."

Shipwrecked Seamen.

"When the cause of the seaman's distress is shipwreck, his wages should be paid to *him* by the master, either in money or by a bill. In such a case, therefore, as no wages will be received by the consul, the money column on page 1 of Form C. 16 will be left blank."

Exception.

“As a general rule, crews of vessels which have met with a casualty not amounting to shipwreck should not be treated as distressed seamen, unless it is clear that the vessel will be unable to proceed on her voyage after the necessary repairs; and the consul should therefore refuse to discharge them, unless the master provides them with adequate employment on board some other British ship bound to the port in her Majesty's dominions at which they were originally shipped, or to such other port in the United Kingdom as is agreed upon by them, or furnish the means of sending them back to such port, or provide them with a passage home, or deposit with the consul such a sum of money as he shall deem sufficient to defray the expenses of their subsistence and passage home; or unless he refuses to provide for them, and it is impossible to ascertain promptly whether the vessel will be abandoned or not. In the latter case, they should be sent home on the distinct understanding that should the vessel ultimately be not abandoned, the Board of Trade will recover the expenses from the owners. An endorsement to this effect should be made upon the articles, and the Board of Trade should be informed of the circumstances by a special despatch, to be followed by further information when the fate of the vessel is decided.”

When Owners are not liable.

“When the owners are not liable to repay the expenses or any of them incurred in respect of the seaman, and the cause of the seaman’s distress is not shipwreck, his wages are chargeable with all expenses.”

When Owners are liable.

“When the owners are liable to repay a seaman’s expenses, or any of them, the wages are only chargeable with such expenses as are not payable by owners.”

If sent to a British Possession.

“When distressed seamen are sent home to any British possession abroad, by a colonial or other vessel not bound to the United Kingdom, the order is to be delivered by the master to the shipping officer at the port, who will deal with it according to instruction.”

Treatment of Men on Board.

“The consul will point out to the master of the ship in which seamen are sent home, that he is bound, under a heavy penalty, to provide them with berths effectually protected against sea and weather; and that if this is not done, and if their subsistence and treatment are not what they should be, he will not be entitled to reimbursement. He will also point out that the men sent home are subject to the same rules of discipline as the crew.”

*Steps to be taken where Masters refuse to take
the Men.*

“As without proper evidence no prosecution can be instituted with success against a master of a merchant ship for refusing to take a seaman on board for a passage to a British port, as required by ss. 211 and 212 of the Merchant Shipping Act, 1854, the consul is, in all cases of such refusal, to send to the Board of Trade *the Form C. 16, addressed by him to the master, and any correspondence or documents relating to the subject*; and is also to see that the distressed seaman himself is present when the requisition is delivered to the master, and is to desire the seaman, immediately upon his arrival at a port in the United Kingdom, to present himself to the Registrar-General of Seamen, if that port is London, or, if elsewhere, to the superintendent of the mercantile marine office. The consul will also give the seaman a letter addressed to the secretary of the Board of Trade, containing a statement of the circumstances of the case, to be delivered to the Registrar-General of Seamen or superintendent, as the case may be; on the outside of the letter is to be written a direction instructing the bearer to leave his address with the registrar or superintendent, and a duplicate of the letter is to be sent to the Board of Trade by the consul, with the requisition, etc., above referred to.”

Foreign Ships may be used in Cases of Emergency.

“Whenever there are no British merchant vessels in which distressed seamen can be sent to the United Kingdom, or to the British possession to which they belong, and the consul thinks it desirable, in order to avoid expense, to engage a passage for them in foreign merchant vessels, he may do so on the best terms he can. He should avoid, if practicable, making any payment beforehand for such passage, but should report the terms to the Board of Trade, and request the master to apply to the Board for payment through the foreign consul at the port to which the vessel is bound.”

Disposal of Foreign Seamen.

“Foreign seamen may be sent either to the country in which they were shipped, or to their own country, whichever may be the cheapest or most convenient, under order Form C. 16. If sent to a foreign port, the consul at that port will pay the amount of this order, and charge it in column 16 of Form C. 20.”

Conveyance Home of Lunatic Seamen.

“As difficulty sometimes arises in finding masters willing to give passages under the usual consular order (C. 16) to distressed seamen suffering from mental derangement, the consul is authorized, in any

such case that may arise, to make a special arrangement with the master willing to take the seaman, agreeing to pay, if necessary, such sum for the passage, in addition to the usual allowance, as may appear fair and reasonable under the circumstances, and with the object of insuring that requisite care and attendance shall be given to the passenger during the voyage. A copy of the agreement so entered into shall be forwarded to the Board of Trade as soon as possible in every case, and also, in any case where it is desirable to forward the seaman to a foreign port, or a port in a British possession abroad, to the consul or the shipping officer, as the case may be, at the port to which the seaman is to be conveyed."

Lunatics sent to Consul's Port.

"In the case of a seaman arriving under such circumstances at his port, the consul may pay to the master the amount of the passage money on production of such an agreement as described herein, purporting to be entered into between the master and a consul or officer in a British possession abroad, and upon being satisfied that the seaman has received the extra care and attendance stipulated for. An immediate advice of such a payment, together with the original agreement and the receipt of the master for the passage money, should be sent to the Board of Trade. Such payments should be charged in the quarterly account with the Board of Trade."

WAGES AND EFFECTS OF DECEASED SEAMEN.

Masters to account for Wages and Effects of Men dying during a Voyage.

“The Merchant Shipping Act, 1854, makes careful provision for the collection and distribution of the wages and effects of seamen who, being engaged or sent home in a ship which is to terminate her voyage in the United Kingdom, die before the voyage is completed. To effect this, it is provided that in all such cases the master is to take charge of all money, clothes, and effects which the deceased leaves on board; and if the clothes and effects are of such a nature as to deteriorate in value by being kept, he may cause all or any of the said clothes and effects to be sold by auction at the mast or other public auction, and is to sign an entry in the official log-book containing the following particulars; that is to say:—

- (1) A statement of the amount of the money, and a description of the effects so left by the deceased;
- (2) In case of a sale, a description of each article sold, and the sum received for each;
- (3) A statement of the sum due to the deceased as wages, and the total amount of the deductions (if any) to be made therefrom;

And is to cause such entry to be attested by a mate and by one of the crew."

In Certain Cases of Death at Sea, the Consul is to demand and receive the Wages, etc.

"If ships touch, and remain forty-eight hours, at a foreign port, the consul will inquire whether any seaman has died during the voyage or at the port. In cases where such a death has happened, and the consul, after inquiry, finds that the vessel is bound direct or will shortly return to the United Kingdom, he will not demand the wages and effects unless special circumstances render it expedient; but when the consul finds that the settlement of the claims of relatives will be unduly retarded if delivery of the wages, etc., by the master is delayed till the arrival of the ship in the United Kingdom, he will require from the master the payment of the wages of the deceased, either in cash or by bill on the owners, and the delivery of his effects or of the proceeds of the sale of them. An account in the Form C. 15 must be delivered by the master to the consul, who will compare it with the agreement and official log-book, and allow only such deductions from wages as are just and lawful, placing his initials against such deductions in the column set apart for that purpose in the form. The consul will point out, if necessary, the heavy penalties to which masters are liable should they make default in

accounting for wages, etc., and he will report to the Board of Trade every case of such default, and endorse on the articles of the ship a notice thereof."

Expenses attendant on Illness or Death.

The rules for determining whether expenses attendant on illness or death are to be borne by the owner, or to be deducted from the wages of the seaman, are laid down in s. 228 of the Merchant Shipping Act, 1854, and are as follows :—

- "(1) If the master or any seaman or apprentice receives any hurt or injury in the service of the ship to which he belongs, the expense of providing the necessary surgical and medical advice, with attendance and medicines, and of his subsistence until he is cured, or dies, or is brought back to some port in the United Kingdom, if shipped in the United Kingdom, or, if shipped in some British possession, to some port in such possession, and of his conveyance to such port, and the expense (if any) of his burial, shall be defrayed by the owner of such ship, without any deduction on that account from the wages of such master, seaman, or apprentice.
- (2) If the master or any seaman or apprentice is, on account of any illness, temporarily removed from his ship for the purpose of preventing infection, or otherwise for the

convenience of the ship, and subsequently returns to his duty, the expense of such removal, and of providing the necessary advice, with attendance and medicines, and of his subsistence whilst away from the ship, shall be defrayed in like manner.

(3) The expense of all medicines and surgical or medical advice and attendance given to any master, seaman, or apprentice whilst on board his ship shall be defrayed in like manner.

(4) In all cases, any reasonable expenses duly incurred by the owner for any seaman in respect of illness, and also any reasonable expenses duly incurred by the owner in respect of the burial of any seaman or apprentice who dies whilst on service, shall, if duly proved, be deducted from the wages of such seaman or apprentice."

The charges for burial are often exorbitant, and the consul will, in accordance with the foregoing section, be careful to disallow so much of any such charge as is not "reasonable."

Advances not chargeable on Effects.

"A master has no power at law to detain a seaman's effects in order to cover advances made to him, and in cases where effects have been sold on board, the proceeds of such sale must be handed to the consul without deduction."

Consul to give Receipt for Money, etc.

“Upon receipt of the money and effects, the consul will endorse upon the Agreement of the ship a certificate stating the sum of money, and specifying the articles received by him. The account, in the Form C. 15, he will transmit with his accounts to the Board of Trade, crediting the Board of Trade with the amount in his account current, under ‘Receipts in respect of deceased seamen.’ If he has not demanded and received such wages and effects, he will make an endorsement on the agreement of the ship to that effect.”

Effects, how to be dealt with.

“In general, it will be desirable for the benefit of relatives that seamen’s effects should be sent home, and in such cases the consul will endeavour to send them free of expense, and with as little delay as possible. They are to be addressed to the superintendent of the mercantile marine office at the port in the United Kingdom to which the vessel conveying them is bound, together with a form (C. 17) filled up and directed to him; and an endorsement of the fact of their being on board is to be made on the Articles of that vessel.”

Effects may be sold under certain Circumstances.

“Such effects, however, as are likely to deteriorate by being kept should be sold, and effects may

be sold when undue delay or expense would be caused by sending them home ; but in all such cases the consul will endorse on the Form C. 15 his reasons for the sale. Documents found amongst the effects should be transmitted direct to the Board of Trade with the Form C. 15."

Disinfection of Effects.

"The effects of seamen dying of contagious or infectious diseases as are likely to convey infection should be at once destroyed ; and other articles, such as letters, trinkets, etc., should be thoroughly disinfected before being forwarded to the United Kingdom. The disposal of the effects in such cases should be fully described in Form C. 15, and the expense of disinfecting articles sent home should be charged against the estate of the deceased seaman."

Money and Effects of a British Seaman dying Abroad.

"When any seaman belonging to any British ship, or when any seaman who within six months of the time of his death belonged to a British ship, dies at the port, leaving money or effects on shore, the consul will claim and receive such money and effects. The money he will credit to the Board of Trade in his account current, under the head of 'Cash received for proceeds of sale of effects, etc., of seamen who have died in charge.' The effects are to be dealt with as in ordinary cases. For every seaman so dying a separate account of receipts and

expenses should be made out in Form C. 14 and sent to the Board of Trade, whether any balance is due to the estate of the deceased seaman or not.

“An account on Form C. 25 of the proceeds of the sale of the effects belonging to, and money in possession of, such seaman dying in the consul’s district, is to be sent to the Board of Trade with the account current.”

SEAMEN’S WILLS.

“The consul will observe, and point out to those who are interested, that in order to entitle persons claiming under a seaman’s will to receive his wages and effects from the Board of Trade, it must be shown that the will, if executed on board ship, was executed in the presence of, and attested by, the master or mate, and if on shore, in the presence of two witnesses, one of whom is some shipping master appointed under the Merchant Shipping Act, 1854, or some minister or officiating minister or curate of the place in which the same is made, or, in a place where there are no such persons, some justice of the peace, or some British consular officer, or some officer of customs, and is attested by such witnesses.”

Estates and Effects of Masters.

“The foregoing relates to all persons employed in the service of any British ships, except masters. Their effects, if they die in foreign ports, are to be treated in the same manner as those of other British

subjects. If, however, they have certificates of competency or service, these should be sent to the Registrar-General of Seamen, London."

Effects of Foreign Seamen—French, German, Swedish, and Norwegian.

"The British Government have agreed with the Governments of France, Germany, Sweden, and Norway, to deliver to their respective consul-generals in London the wages and effects received by the Board of Trade, under the provisions of the Merchant Shipping Act, 1854, of seamen belonging to those countries who have died on board British merchant vessels; and these Governments have, on their part, agreed to deliver to the nearest British consul the property of British seamen dying on board their merchant vessels, or on shore in their territories. The consul will, therefore, report to the Board of Trade the particulars of the deaths of such British seamen, receive their wages and effects, deal with them, and account for them to the Board of Trade, as if the seamen had belonged to British ships."

Of Danish and Italian Seamen.

"Copies of the declarations made between the British Government and the Governments of Denmark and Italy relative to the disposal of the estates of deceased seamen will be found in the Appendix, and the consul will hand over the property of de-

ceased Danish and Italian seamen (as provided for by the terms of the declarations aforesaid) to their respective consuls, and will account for the property of British seamen received from the Governments of Denmark and Italy, as if the seamen had belonged to British ships."

AGREEMENTS OPENED AND TERMINATED ABROAD.

Agreements opened.

The practice of opening the Agreements for British ships, *i.e.* entering into fresh Articles, at ports out of the United Kingdom is now so frequent as to make it important that the following instructions should be carefully followed by her Majesty's consuls in such cases, with a view to compliance with the Merchant Shipping Act, 1854, which provides (s. 160) "that the same rules as are hereinbefore contained with respect to the engagement of seamen before shipping masters in the United Kingdom shall apply to such engagements made before consular officers."

Section 149 of the Act requires that "the master of every ship, except ships of less than eighty tons registered tonnage exclusively employed in trading between different ports on the coast of the United Kingdom, shall enter into an agreement with every seaman whom he carries to sea from any port in the United Kingdom as one of his crew, in the manner hereinafter mentioned; and every such agreement

shall be in a Form sanctioned by the Board of Trade, and shall be dated at the time of the first signature thereof, and shall be signed by the master before any seaman signs the same, and shall contain the following particulars as terms thereof; that is to say :—

- (1) The nature and, as far as practicable, the duration of the intended voyage or engagement ;
- (2) The number and description of the crew, specifying how many are engaged as sailors ;
- (3) The time at which each seaman is to be on board or to begin work ;
- (4) The capacity in which each seaman is to serve ;
- (5) The amount of wages which each seaman is to receive ;
- (6) A scale of the provisions which are to be furnished to each seaman ;
- (7) Any regulations as to conduct on board, and as to fines, short allowance of provisions, or other lawful punishments for misconduct, which have been sanctioned by the Board of Trade as regulations proper to be adopted, and which the parties agree to adopt.

And every such Agreement shall be so framed as to admit of stipulations, to be adopted at the will of the master and seaman in each case, as to advance and allotment of wages, and may contain any other stipulations which are not contrary to law.”

Section 7 of the Merchant Shipping Act, 1873, however, provides that agreements with seamen may, instead of stating the nature and duration of the intended voyage or engagement, state the maximum period of the voyage or engagement, and the places or parts of the world, if any, to which the voyage or engagement is not to extend.

Form of Agreement.

“Agreements in respect of British ships opened at a foreign port should be on the form (Eng. 1) in use in the United Kingdom. The form is printed in four sizes, adapted to crews of not exceeding 20, 40, 80, and 120 men respectively.”

Master and Officers.

“The master and crew being in attendance, the consul should see that the provisions of the Act (ss. 44 and 46) as to the master’s name being on the ship’s register are complied with.

“The provisions of the Merchant Shipping Acts which require that masters, mates, or engineers shall possess certificates of competency or service, relate to cases in which ships go to sea from ports in the United Kingdom. Whenever a master, mate, or engineer holds a certificate of competency or service, it should be produced to the consul, and the number of it should be inserted opposite the name of the possessor in any form in which his name appears ;

and whenever he does not hold one, he should be reminded of the provisions of s. 136 of the Merchant Shipping Act, 1854, and s. 5 of the Merchant Shipping Act Amendment Act, 1862, which would be enforced if the ship, at any time in the course of the voyage, should go to sea from the United Kingdom."

Attendance of Apprentices.

"Any apprentices destined for the voyage must be in attendance; their indentures must be produced to the consul, and the apprentice's name, with the date of his indenture and the name of the port where it is registered, must be entered on the agreement."

Stipulations in Agreement.

"In settling the Agreement, it will be the consul's duty to object to the insertion of any stipulation which he considers contrary to the Act of Parliament, but he has no legal power to prevent the insertion of any stipulation which the master and crew voluntarily and knowingly choose to adopt, so long as it is not contrary to law."

Difficulties arising from Vaguely Worded Agreements.

"One matter of very great importance to the parties themselves is a proper description of the limits and nature of the intended voyage.

"Difficulties have been found frequently to arise

between masters and crews of British merchant vessels, owing to the indefiniteness of the wording of their agreements.

“The following is quoted as an example:—
 ‘From Cork to Shields, and from thence to Constantinople or any other port or ports in the Mediterranean Sea, or Sea of Azof, or Black Sea, or *wherever freight may offer for the ship*, and back to a port of call for orders if required; and from thence to a port of final discharge in the United Kingdom, or , expected term of service not to exceed eighteen months.’

“It is obvious that all Articles of Agreement ought to be as explicit and as free from doubt as possible. When this is not so, the intention of the 149th clause of the Merchant Shipping Act, 1854, is defeated, and both owners, masters, and crews are exposed to inconvenience, delay, and litigation. Consuls should therefore point out to masters of vessels the inconvenience and delay to which they may possibly be subjected if they insert in their agreements general words, such as ‘*wherever freight may offer for the ship*,’ or if they, in any other manner, fail to come to a clear understanding concerning the nature of the engagement, or fail to make that understanding obvious upon the face of the agreement.”

*Stipulations in Agreements that Crew be discharged
Abroad.*

“A stipulation is sometimes inserted in agreements to the effect that the crew may be discharged at some port on the continent of Europe, and some misunderstanding has prevailed as to the effect of such agreements. Masters should be made to understand that such a stipulation does not enable them to discharge their crews in a foreign port without the sanction of the consul, and that it does not relieve them from the necessity of providing the men with a passage home. And seamen should be made to understand that, in the event of their being discharged abroad under such a stipulation, they will in all probability not be held entitled to wages for any time subsequent to their discharge.”

Settlement of Agreement.

“The consul must see that the Agreement is properly settled in duplicate; that the description of the crew (*specifying how many are sailors*) is properly entered; that the successive folios, if more than one, are properly numbered; that the blanks are properly filled up; and that the reference, if any, to the sanctioned regulations as to fines is properly made.

“When the Agreement is settled, and before it is signed, the consul must read it over to the crew, or

cause it to be read over to them in his presence, and explain it if necessary; and he should, if necessary, apprise the men that a false statement of their own names, or the name of their last ship, will subject them to a forfeiture of £5, to be deducted from their wages. It is desirable that the consul should at this time ask each seaman to produce the certificate of discharge from his last ship. He cannot insist upon it, but it has become a general practice, and acts as a salutary check upon men who have misconducted themselves."

Signing Agreement.

"The master must then sign the Agreement and the duplicate in the presence of the consul, and afterwards each member of the crew must do the same. When the seaman cannot write, he is to make his mark, but in no case is any other person to be allowed to sign or make his mark for him. *The consul must attest each signature and mark, and should then make the endorsement upon the agreement of his sanction thereof*; after which he will see that the copy of the agreement (Form U.) which is to be made accessible to the crew, is made to correspond with the agreement. This form, as well as the agreement, will be taken away by the master. The consul must retain the duplicate or office copy of the agreement, and forward it to the Registrar-General of Shipping and Seamen, London, if the ship is regis-

tered in the United Kingdom, or if she belongs to a British possession and is proceeding to the United Kingdom. If the ship belongs to a British possession, and is returning to such possession without touching at a port in the United Kingdom, the duplicate should be sent to the shipping master at the colonial port to which she is bound, and full particulars respecting the crew should be sent to the Registrar-General of Shipping and Seamen on Form C. 19a.

“In cases where duplicates of the agreement are forwarded to the Registrar-General of Seamen, it will not be necessary to enter any particulars in the Form C. 19a, beyond the name of the ship, and the date when the duplicate agreement was sent to him.”

Advance of Wages.

“The consul's duty with respect to advances of wages will be confined to seeing that any stipulations for advances are entered in the agreement.”

Allotment of Wages.

“On the other hand, as power is given to sue summarily upon allotment notes, which are required to be in the sanctioned form, if the master has a proper authority for giving allotment notes to the crew (Form V.), the consul will see that the allotment notes are properly filled up, that the counterfoils are made to correspond, and that the par-

ticulars are entered in the agreement. The allotment notes may be delivered to the crew at once."

When Alterations in Agreements are void.

"Every erasure, interlineation, or alteration in any Agreement with seamen (except additions so made as directed by the Act for shipping substitutes or persons engaged subsequently to the first departure of the ship) will be wholly inoperative, unless certified to have been made with the consent of all the persons interested in such erasure, interlineation, or alteration, by the written attestation of some consul, shipping master, superintendent of a mercantile marine office, justice of the peace, officer of customs, or other public functionary."

Official Log-Book.

"The consul should furnish the master with an Official log-book, calculated to serve for the intended voyage, which is to be delivered up at the end thereof to the officer before whom the crew are discharged."

Forms to be supplied gratuitously.

"The requisite Forms, and an Official log-book, are to be supplied to the parties free of charge in each case."

AGREEMENTS TERMINATED ABROAD.

Agreements, etc., to be at once sent Home.

“When the agreements in respect of British ships, with the exceptions mentioned in the following paragraph, are terminated abroad, it is important that the Articles of Agreement, whether made in the United Kingdom or not, and the official log-book for the voyage then terminated, with the memorandum annexed to the form of receipt (Dis. 2) hereinafter mentioned, should be forwarded to the Registrar-General of Seamen, London, by the earliest mail after the completion of the discharge of the crew.

“The consul is therefore requested to obtain from the masters all such agreements and official log-books, and to transmit them accordingly, *except in the cases of such colonial vessels as may not have opened their agreements in the United Kingdom, and have not touched at a port in the United Kingdom since the agreement was opened.* In these latter cases, the ship's papers should be sent to the shipping master at the colonial port to which the ship belongs, but full particulars respecting the crew should be entered in the Form C. 19a, forwarded to the Registrar-General of Seamen.”

Receipt to be given to Master.

“In all cases of agreements terminated abroad, when the ship's papers have been received by the

consul, a receipt for them in the form Dis. 2 should be given by the consul to the master.

“As the receipt so given will, upon the ship’s arrival in the United Kingdom, be exchangeable for a clearance certificate, care must be taken—

- (a) That every seaman or apprentice who has been on the Articles at any time in the course of the voyage, *i.e.* since the commencement of the agreement, is properly discharged, or is or has been properly accounted for ;
- (b) That the wages and the effects of all the seamen who have died in the course of the voyage are or have been legally accounted for, and that any money due to their estates and not already paid over to an officer entitled to receive it, also any effects remaining unsold, are delivered into the consul’s charge ;
- (c) That the entries in the official log-book are properly made and signed, and if any of them are imperfect, the master’s attention is called thereto with a view to his future guidance ;
- (d) That the provisions of the Merchant Shipping Act, and the instructions to consuls, in all other respects are duly complied with, especially those which relate to the employment, passage home, and the wages of seamen.”

Particulars to be given in Form C. 19a.

“In cases in which the ship's papers are forwarded to the Registrar-General of Seamen, it will not be necessary to enter any particulars in the Form C. 19a, beyond the name of the ship, and the date on which the ship's papers were sent to him.”

Certificates of Discharge and Character.

“If a seaman discharged before the consul desires to have a certificate of his character for the voyage, the form of certificate of discharge and character, marked Dis. 1, is to be used for the purpose instead of the Form C. 11.

“The intention of the design (Dis. 1) is that the record of character shall be inserted in a space appropriated specially to receive it, according to the nature of the character given, and in the appropriated space only. Thus, a ‘good’ character must be recorded in the space marked ‘good,’ and a ‘very good’ character in the space marked ‘very good,’ and so on. By these means it is expected that security for preserving intact the record of character as given by the master will be obtained. Inability to erase the manuscript without removing the ornamented filling of the space, or to affix in front of the character ‘good’ the word ‘very’ or the letter ‘v,’ without immediate detection, will add to the security. As an additional safeguard, these forms have, as will be noticed, been printed on paper bearing the water-mark of the Board of Trade.”

Steps to be taken in regard to Certificate.

“In using the Form Dis. 1, special care should be taken—

- (a) That the entries on the back of the form correspond with the entries relating to the seaman made by the master in the articles of agreement or in his official log-book :
- (b) That the directions noted on the back of the form Dis. 1, for filling up and scoring through the spaces before the certificate is given out of the consul's possession, are strictly complied with ;
- (c) That the signature of the master is affixed in the consul's presence ;
- (d) That blank forms Dis. 1 are on no account to be issued ; and that a certificate (Dis. 1) is never to be parted with, unless and until *all* the circular spaces set apart for the record of character and conduct have been either filled in or defaced in the manner indicated on the back of the form.
This is most important.”

Counterfoil to be filled up.

“Care must be taken to fill up the counterfoil of each certificate at the time, and to preserve the counterfoils in case of any question arising.”

Naval Reserve, No. of RV. 2 to be noted.

“Whenever the consul has occasion to refer in his official documents to a seaman belonging to the naval reserve, the number of the man’s certificate (RV. 2) should be noted against his name.”

*Engagement of Foreign Seamen on board
British Ships.*

“The attention of British shipmasters, and of foreign seamen wishing to ship on board British vessels, is called to the provisions of the laws of certain countries with regard to military and naval service, which forbid the engagement of the subjects of those countries on foreign service, unless they are provided with certificates from the competent authorities to the effect that there is no objection to their accepting such service.

“Masters of British ships, and seamen being the subjects of foreign countries, are therefore warned that unless the latter are provided with the certificates from the authorities above referred to, any engagements they may make to serve on board British vessels may be considered illegal according to the laws of those countries, and that the whole responsibility and consequences of concluding such engagements will have to be borne by the parties to the contract, who must not expect any interference on their behalf on the part of her Majesty’s Government, or of any British consular officer.”

Duty of Consul on change of Master.

“Whenever the master of a British ship is changed at a foreign port, it will be the consul’s duty to require the Certificate of Registry to be produced to him, to endorse upon it and sign a memorandum of the change, adding the number of the new master’s certificate of competency or service (if any), and to report the change, on the first opportunity, to the Registrar-General of Shipping and Seamen, 82, Basinghall Street, London.

“If, however, the change is made in consequence of the sentence of a naval court, it will be the duty of the president of the court to take these steps.”

MISCONDUCT OF MASTERS OF COLONIAL VESSELS.

“Part iii. of the Merchant Shipping Act, 1584, is, by s. 109, made applicable to all ships registered in any of her Majesty’s dominions; and ss. 518 (paragraph 5), 519, and 520 of the same Act, and s. 21 of the Merchant Shipping Amendment Act, 1855, provide for the punishment in any British possession of offences under the Imperial Act.

“Any serious instance of refusal or neglect, on the part of a master of a colonial vessel, to comply with the provisions of the Merchant Shipping Act, 1854, ss. 159, 161, 205, 206, 207, 208, 210, and 211, should be reported at once to the Government of the British possession in which the vessel is registered, as well

as to the Board of Trade, if the vessel trades to the United Kingdom, in order that steps may be taken to punish the offenders."

VOLUNTEERING INTO THE NAVY.

Seamen allowed to leave their Ships to enter the Royal Navy.

"Any seaman may leave his ship for the purpose of forthwith entering into the naval service of her Majesty, and such leaving of his ship shall not be deemed a desertion, and shall not render him liable to any punishment or forfeiture whatever. Any master or owner who causes any stipulation for forfeiture or punishment, in such a case, to be introduced into the articles of agreement, renders himself liable to a penalty not exceeding £20."

Effects to be delivered to Seamen, and Wages to Queen's Officer.

"As soon as any seaman has entered and been received into the royal navy, the master is to deliver to him his clothes and effects, and shall pay to the officer authorized to receive the seaman into the royal navy the wages due to such seaman up to the date of his so entering the navy."

Repayment of Advance to Seamen, if not earned.

"If any seaman leaves his ship to enter into the royal navy, and the owner or master of such ship shows to the satisfaction of the Admiralty that the

seaman had been paid an advance of wages, and that up to the time of his leaving the ship he had not duly earned such advance of wages, it will be lawful for the Admiralty to pay to such owner or master so much of such advance as had not been duly earned, and to deduct the sum so paid from the wages the seaman has earned, or may earn, in the royal navy."

*If New Seamen are engaged, Owner may apply for
Repayment of Extra Expense.*

"If a new seaman or substitute is engaged in lieu of the seaman who volunteers, and if the wages of the new seaman or substitute exceed the wages which would have been payable to the seaman who volunteered for the unexpired term of his engagement, the master or owner may apply to the Registrar of the Admiralty Division of the High Court of Justice in England for a certificate authorizing the repayment of any such excess."

CORRESPONDENCE WITH THE BOARD OF TRADE.

"In all cases where the consul is required to transmit to the Board of Trade, he will observe the same rules which are laid down for his guidance as to correspondence with the department of her Majesty's Secretary of State for Foreign Affairs, with the following exceptions:—

"Communications from the Board of Trade on ordinary matters of account and other matters of

routine, if requiring no answer, need not be specially acknowledged.

“Communications to the Board of Trade on matters to which the foregoing relate, and also communications containing intelligence concerning the British mercantile marine, which are intended for communication to Lloyd's committee or other interested parties, are to be addressed to the Secretary of the Board of Trade, Marine Department. They are, however, to be sent under flying seal to the Secretary of State for Foreign Affairs, to whom the consul will, in his covering despatch, report succinctly the nature and subject of the communication.”

ACCOUNTS WITH THE BOARD OF TRADE.

The consul's accounts under the foregoing instructions are to be kept in the currency of the place. All moneys received and paid by him in sterling on account of the Board of Trade are to be converted into currency at the rate of exchange in force on the dates of each such receipt and payment, the rates of exchange being stated on each voucher. The whole of his receipts and payments in each quarter are to be brought into a general account current, Form C. 26, and converted into sterling. The rate of such conversion will be that at which the balance is drawn for or remitted, as the case may be. A commission of $2\frac{1}{2}$ per cent. on the amount of his disbursements in respect of distressed seamen may be charged by the consul in his account current.”

To be transmitted quarterly.

“The consul is to make up and transmit his accounts to the Board of Trade quarterly, to the end of March, June, September, and December respectively. Any delay in forwarding the accounts, especially from a distant port, may be attended with serious inconvenience.”

Forms.

“The following is a list of the Forms to be used in connection with accounts with the Board of Trade:—C. 11, C. 12, C. 12*a*, C. 13, C. 14, C. 15, C. 16, C. 16*a*, C. 17, C. 18, C. 20, C. 24, C. 25, C. 26, C. 27, C. 33, C. 34. These forms are to be strictly adhered to, and all certificates upon them are to be duly completed, and all blanks are to be filled in. Whenever this is impossible, the reasons are to be fully stated. These forms will be supplied to the consul on his application.”

Vouchers to be translated.

“If any vouchers should be in a foreign language, translations thereof are to be sent with the original documents.”

Vouchers to be numbered.

“The vouchers are to be numbered progressively, and corresponding numbers are to be given at the foot of the Form C. 20, for the respective charges.

Vouchers for subsistence and for hospital expenses should, if possible, be obtained in the Form C. 20, Annex *a*, and C. 20, Annex *b*, given in the Appendix. In any circumstances all the information required by the annexes should be supplied."

Steps when Vouchers cannot be procured.

"If it should be impracticable, under particular circumstances, to obtain the vouchers required by the foregoing instructions, a declaration is to be made to that effect; and after specifying as fully as possible the nature of the payments, it is to be stated in the declaration that they were *bonâ fide* made for the public service, without any profit or advantage to the consul, except the commission hereinbefore mentioned."

Vice-Consul's Receipts and Disbursements.

"When receipts or disbursements by vice-consuls on behalf of the Board of Trade are included in the consul's account current, the receipts of the vice-consuls for any disbursements in excess of receipts, in addition to the vouchers, must accompany the account. The prescribed forms must in all cases be used by vice-consuls."

Postages and Telegrams to be charged.

"The consul may charge in his account the actual expenses for postage of letters, and for telegrams, if any, on account of business specially con-

nected with the Board of Trade, the particulars to be furnished on Form C. 24."

Bill to be drawn for Balance due to Consul.

"If the sums expended by the consul during the quarter on account of the Board of Trade exceed the amount of his receipts for wages of seamen, etc., he is to draw a bill upon the Assistant Secretary, Finance Department, Board of Trade, on the last day of the quarter, or as soon thereafter as he can close his account, for the equivalent in sterling of the balance at three days' sight (Form C. 25), transmitting to that officer a letter of advice. It is most important that the account and vouchers should be sent at the same time. If the account and vouchers are regular, the amount will be allowed; but if they are not, the amount will be charged against the consul until sufficient vouchers or a satisfactory explanation are received."

Balance due from Consul to be remitted.

"If the sums received by the consul during the quarter on account of the Board of Trade exceed the amount of his disbursements, he is to remit the balance to the Assistant Secretary, Finance Department, Board of Trade, by means of short date bills or drafts payable in London, on the last day of each quarter, or as soon thereafter as he can close his account.

“If no expenses have been incurred, and the receipts have been wholly for wages and effects of deceased seamen, the remittance is to be made as above, and an account, with the Form C. 15, is to be transmitted to the Board of Trade.”

PART IV.

NAVAL COURTS.

CRIMES COMMITTED ON THE HIGH SEAS.

INTERFERENCE OF FOREIGN COURTS
OF JUSTICE.

NAVAL COURTS.

GENERAL INSTRUCTIONS.

“NAVAL courts are British tribunals to investigate facts and try cases connected with British shipping in ports or places out of her Majesty’s dominions, when occasion demands the prompt interference of British authority.

“Naval courts, therefore, must not be held in Great Britain or a British possession abroad.

“They should not be held in any case in which a consul can deal satisfactorily with the matter without the assistance of a naval court, and in all cases where practicable it will be well that a consultation should be held between a naval officer and a consul before summoning a naval court.

“The cases in which, according to law, a Naval Court may be summoned, are the following :—

- (a) If a master or any of the crew of a British ship make a complaint to a consul or a naval officer, which appears to such officer to require immediate investigation ;
- (b) Whenever the interest of the owner of any British ship, or of the cargo of any such ship, appears to such officer to require it ;

- (c) Whenever any British ship is wrecked, or abandoned, or otherwise lost at or near the place where such officer may be, or whenever the crew or part of the crew of any British ship which has been wrecked, abandoned, or lost abroad, arrives at such place.

“ These cases may generally be classed under the following heads :—

- (1) **CRIMES** committed on the high seas or abroad ;
- (2) **OFFENCES AGAINST DISCIPLINE** ;
- (3) **MISDEMEANOURS** and other offences against the Merchant Shipping Acts ;
- (4) **WRECKS AND CASUALTIES** ;
- (5) **MISCONDUCT AND INCOMPETENCY OF OFFICERS** of the mercantile marine holding certificates granted by the Board of Trade, or colonial certificates of the same validity ;
- (6) **LOSS OF OR DAMAGE TO HEALTH OR LIFE** on board British ships, however caused, whether by accident, improper or insufficient provisions, water, accommodation, medicines, or anti-scorbutics, defective equipment, machinery, or condition of hull, cargo dangerous in itself or dangerously stowed, or otherwise.
- (7) **DANGER OR DAMAGE TO PROPERTY** in ships or cargoes.”

CRIMES COMMITTED UPON THE HIGH SEAS OR ABROAD.

“By s. 263 (6), 1854, Naval Courts may exercise the same powers as are vested in British consular officers by s. 268, as to sending for trial to the United Kingdom or any British possession any master, seaman, or apprentice belonging to any British ship, charged with any offence mentioned in s. 267, or with any offence on the high seas.

“In cases of murder or manslaughter, or mutiny or assault of a serious character, if the charges are sustained by the evidence, the prisoner should be sent to the nearest British possession or to Great Britain for trial.

“In cases of a less grave character, such as mutiny unaccompanied by violence, or assault without serious consequences, committed under great provocation, if the distance to the nearest tribunal competent to try the offence be great, and expense and difficulty likely to be involved in the prosecution, the court may exercise a wise discretion by punishing the offence, provided it be punishable by a naval court, in a summary way, and by making such arrangements as to the discharge of the prisoner from the ship or otherwise, as may prevent any danger of the recurrence of evils.

“It should always be borne in mind that it is useless to send prisoners for trial, unless the proceedings of the court have been perfectly formal, and sufficient witnesses are sent to procure a conviction.”

OFFENCES AGAINST DISCIPLINE.

“The ordinary offences against discipline which most frequently come under the cognizance of Naval Courts are those specified in s. 243 (1854). This section also prescribes the limit of punishment for each offence.

“The consul may sometimes find himself able to dispose of minor cases without recourse to a Naval Court; but in serious cases, such as desertion of such a wholesale character or at such a critical time as to imperil the ship, or insubordination and disobedience to orders nearly amounting to mutiny, a court should, if practicable, be summoned.”

MISDEMEANOURS AND OTHER OFFENCES AGAINST THE
MERCHANT SHIPPING ACTS.

“By s. 18 (1855) Naval Courts summoned to hear a complaint touching the conduct of a master, mate, or seaman of a British ship, have power, in addition to the foregoing offences, to try misdemeanours and other offences *against the Merchant Shipping Acts*, committed by a master or any of the crew of a ship, in respect of which two justices would, if the case were tried in the United Kingdom, have power to convict summarily.

“The following misdemeanours are among the most important :—

“Breach of duty, etc., endangering ship, life, or limb—s. 239 (1854);

“Wrongfully forcing a seaman ashore, or leaving him behind—s. 206 (1854);

“Leaving seamen behind without the formal consent of a public officer in a colony, or a consul in a foreign country—ss. 207, 208 (1854);

“Failing to render assistance, etc., in cases of collision—s. 16 (1873).

“The punishment for the above misdemeanours, and other offences against the Merchant Shipping Acts, is limited to imprisonment for any period not exceeding six months, with or without hard labour, or to a penalty not exceeding £100 (see s. 518 (2) and (3), 1854).

“Naval Courts, before exercising jurisdiction under s. 18 (1855), should bear in mind that—

- (1) A complaint must be made which appears to the officer summoning the court to require immediate investigation;
- (2) The complaint must be made to such officer by the master of a British ship, or by a certified mate, or by one or more of the seamen belonging to such ship;
- (3) The complaint must touch the conduct of the master or one of the crew of such ship.

“When the offenders are masters holding certificates, it will generally be better to use only the court’s power to suspend or cancel their certificates and supersede them in command, treating the cases as those of gross misconduct.” (See under “Misconduct and Incompetency.”)

“Where a sentence of imprisonment is inflicted, the provisions of s. 18 (1855) should be strictly adhered to.” (See also as to “Imprisonment.”)

WRECKS AND CASUALTIES.

“There are two things which should always be made the subject of the fullest possible inquiry :

“(1) The cause or causes of the casualty ;

“(2) The conduct of the officers and crew ;

And in every notice of a Naval Court issued to masters or to others, it will be well to mention both subjects of investigation.

“Where the facts are clearly ascertained, and where the officers and crew are clearly free from blame, and where no public benefit can be derived from a formal investigation, a Naval Court should not be held ; but every other case of a wreck, abandonment, or important casualty to a British ship outside British jurisdiction should, if possible, be investigated by a Naval Court.

“No power is given for the appointment of an engineer or surveyor as a member of a Naval Court ; but where the court needs advice relating to machinery, shipbuilding, local navigation, or any other point involved in the case, it can call experts as witnesses, and examine them on the evidence given, which can be read over to them for the purpose.

“Where there is reason to believe that the ship

was unseaworthy, a most careful inquiry and report should be made as to the character of the unseaworthiness, and its cause, and the time when it began. Any defect in a ship, its machinery, stowage, equipment, or crew, which has caused the danger, is a proper subject for inquiry, no less than rottenness or overloading.

“Whenever the unseaworthiness appears to have been due to the culpable neglect of the master, it can be considered by the court when exercising their power of dealing with his certificate; and when due to the culpable neglect of the owners, the court should consider whether the case is grave enough, and the evidence strong enough, for a special recommendation to the Board of Trade for their prosecution. In such a case the court and consul will do what they can to aid the prosecution, by sending home the necessary witnesses.”

MISCONDUCT OR INCOMPETENCY OF OFFICERS.

“Whenever the misconduct or incompetency shown by an officer is connected with a casualty to a ship, it will be best dealt with by an inquiry into the casualty.” (See “Wrecks and Casualties.”)

“When, however, it is not so connected, and it is otherwise made to appear that an officer has been guilty of any misconduct cognizable by a Naval Court, such misconduct should be made the subject of investigation by itself.

“The court should in such cases bear in mind that it may have it in its power to exercise a double authority, viz. to deal with the certificate of the offender, or to punish him with fine, etc., and should clearly understand that its judgment cannot be supplemented by further proceedings. Thus, if a mate be found guilty of an offence against discipline, and the court fine him and discharge him from his ship, and do not deal with his certificate, there is no power which can deprive him of his certificate for the same offence.”

LOSS OF OR DANGER TO HEALTH OR LIFE.

“*By accident.*—If unattended by a casualty to the ship, suspicious circumstances, or clearly not due to neglect or carelessness on the part of others, a Naval Court need not be held.

“If attended by a casualty to the ship, it should be inquired into at the same time as the casualty.” (See “Wrecks and Casualties.”)

“If apparently due to neglect or carelessness, and still more so if attended with suspicious circumstances, it should be most carefully investigated, if the grounds for suspecting any particular person are sufficiently strong.” See “Crimes committed on the High Seas and Abroad.”)

“*By improper or insufficient water, accommodation, medicines, or anti-scorbutics.*—In any grave case of this nature, where several of a crew have died, or are

suffering severely from scurvy or other sickness due to these causes, a Naval Court should be held, the ship and stores surveyed, and evidence carefully taken as to how far the provisions of the law relating to provisions, health, and accommodation on board ships have been complied with (ss. 221, 222, 223, 225, 228, 229, 230 (1854), and 4, 5, 7, 8, 9 (1867)).

“ A medical officer of the royal navy shall, when possible, be a member of the court, and, when necessary, medical men may be examined as experts.

“ The report of the court should state clearly the opinion to which it has arrived as to the cause of the loss or danger, and the parties, if any, who are in fault, and should give a distinct judgment on the following points when they apply :—

“ The provisions of the law which have not been complied with ;

“ The discharge of the seamen ;

“ The payment of wages, with the fines or compensation to the seamen, as the case may be ;

“ The liability of owners or seamen to pay expenses of illness ;

“ The payment of the expenses of the court.

“ *By defective equipment, etc.*—In these cases the court has no power to do more than make inquiry, unless there has been default on the part of the master or officers.”

DANGER OR DAMAGE TO PROPERTY.

“When unattended with DANGER TO LIFE OR HEALTH, or the MISCONDUCT of officers (see previous instructions), these cases will rarely require the holding of a Naval Court, except at the express request of those interested in the property, and should only be held in exceptional cases, when they can answer a useful purpose not otherwise to be accomplished, such as the exposure of a fraud or elucidation of facts important to the public.

“In all cases where a Naval Court is thus held purely in the interest of owners of property, the court should carefully exercise its powers relating to the payment of costs.” (See “Expenses of Naval Courts.”)

THE LAW.

“The law giving power to Naval Courts is comprised in the following sections of the Merchant Shipping Acts :—

- (1) Act of 1854 (17 & 18 Vict. c. 104), ss. 260 to 266 inclusive.
- (2) Act of 1855 (18 & 19 Vict. c. 91), s. 18.
- (3) Act of 1862 (25 & 26 Vict. c. 63), ss. 23 and 24.
- (4) Act of 1869 (colonial) (32 Vict. c. 11), s. 8.
- (5) Act of 1871 (34 & 35 Vict. c. 110), s. 8.
- (6) Act of 1873 (36 & 37 Vict. c. 85), s. 16.

But these powers comprise the application of other sections of the same and other Acts, as follows, which should be referred to."

THE ACT OF 1854.

"Section 263 (1). *Power to supersede a master.* Refer to ss. 46, 143, and 259 of the same Act, and s. 4 of the Act of 1872, which require alterations in the Certificate of Registry and Agreement, a report to be made to the Registrar-General of Seamen, and certain documents to be handed to successors.

"Section 263 (2, 3, 4). *Power to discharge seamen and to settle wages, fines, and forfeitures.*—Refer to ss. 181 to 187, legal rights to wages; 205 to 213, leaving seamen abroad; 243, 244, 245, 247, 249, 250, 251, 252, 253, 254, and s. 8 (1867), discipline, fines, forfeitures.

"Section 263 (6). *Powers of consular officer.*—Refer to s. 268, crimes committed on the high seas and abroad."

THE ACT OF 1855, s. 18.

"*Power, when summoned, to hear any complaint touching the conduct of the master or any of the crew, to try them for any offences against the Merchant Shipping Act, 1854, in respect of which two justices would, if the case were tried in the United Kingdom, have power to convict summarily; and by order, duly made, to inflict the same punishments for such offences which two justices might, in the case aforesaid, inflict upon sum-*

mary conviction.—Refer to s. 518 (1854), which enables two justices to try summarily offences declared by the Act to be a misdemeanour; ss. 206, 207, 208, and 239, which make forcing on shore, leaving seamen behind illegally, and misconduct endangering ship or life or limb, misdemeanours; s. 243 (1854), offences of seamen; s. 245, distressed seamen; s. 7 (1867), masters' liability for expenses of seamen's illness caused by their neglect; s. 16 (1873), duties of masters in case of collision." (See also "Offences against Discipline, etc.," and "Misdemeanours.")

THE ACT (COLONIAL) OF 1869.

"Power to deal with certain colonial certificates.—Certificates of competency of the same validity as Imperial certificates have been granted to the following colonies, viz. :—

Victoria	Bengal
New South Wales	Bombay
South Australia	Dominion of Canada
Tasmania	Newfoundland
Queensland	Malta and its depend-
New Zealand	encies.

"If charges are brought against officers holding colonial certificates, the court should be careful to refer to this list and to the Orders in Council, as a naval court has no power, under Imperial law, to deal with any colonial certificates except those granted under Orders in Council issued under the Imperial Act (Colonial) of 1869."

THE ACT OF 1871.

“Section 8. *Power to direct a survey of a ship.*—Refer to s. 7 of the same Act, as to the manner of survey, and ss. 14 and 15 of the Act of 1854, as to powers of inspectors.

CONSTITUTION OF COURT.

“The court is to be called by an officer in command of a ship of her Majesty on a foreign station, or, in his absence, by a consular officer.

“It is to consist of not more than five and not less than three members.

“No person can form one of a Naval Court who is not either an officer in the naval service of her Majesty, a consular officer, the master of a British merchant ship, or a British merchant.

“Except it be impossible to procure their attendance, a Naval Court is not legally constituted unless one of the court is an officer in the naval service of her Majesty not below the rank of lieutenant, one a consular officer, and one a master of a British merchant ship.

“More than one consular officer cannot sit on a Naval Court.

“When there is no naval officer, one of the court must be a master of a British merchant ship, when possible. But where it is impossible to obtain the services of either a naval officer or a master of

a British merchant ship, a court composed of one consular officer and two or more British merchants is legally constituted, and then only.

“Neither the master nor the consignee of the ship to which the parties may belong can be a member of a Naval Court.

“The president of the court must be either a naval or a consular officer; and if there is both a naval and a consular officer in such court, then the president of the court must be the naval or consular officer who is of the highest rank, according to regulation, whether he has summoned the court or not.

“A medical officer in the royal navy may be a member of a Naval Court.”

PROCEDURE.

“A copy of the report or statement of the case upon which the investigation is ordered should be furnished, before the commencement of the investigation, to the master and any of the crew holding certificates.

“Unless this is done, the court cannot cancel or suspend such certificates.

“Every person against whom a charge is made should be informed in writing of the precise nature of the charge, and of the time and place at which the court is to sit; he should also be allowed to be present when the evidence is taken, to cross-examine,

and to bring any evidence and make a statement in defence.

“The parties and all necessary witnesses should be summoned by the court, and their attendance may be compelled, and the production of all necessary documents may be ordered.

“Unless there be any special reason to the contrary, the court should be open to the public.

“All evidence should be, whenever practicable, taken on oath. .

“Every person connected with the ship in connection with which the court is held who possesses a certificate, or more than one, as officer in the merchant service, whether granted in the United Kingdom or a colony, should be required to deliver it or them up into the custody of the court before the commencement of the inquiry.”

As to steps to be taken when a master is superseded in command, see under “The Law: Act of 1854.”

“The decision of the court with regard to cancelling or suspending certificates should be stated in open court at the conclusion of the case, or as soon afterwards as possible.

“The same course should be taken with regard to the court’s decisions and sentences on other points.

“When the proceedings are concluded, a report must be made to the Board of Trade, containing the following particulars; that is to say:—

- (a) A statement or copy of the complaint or other matter which may have caused the summoning of the court :
- (b) The steps taken thereupon by the officer, naval or consular ;
- (c) A copy of the notice given to any person against whom any charge is made ;
- (d) The names and descriptions of the persons composing the court ;
- (e) The depositions and other evidence taken before the court, signed, when practicable, by the witnesses ;
- (f) The order made by the court ;
- (g) If any seaman or apprentice is discharged, an account of his wages ;
- (h) When a ship has been wrecked, lost, or abandoned, a narrative of the material facts which the court considered proved, with any necessary references to or extracts from the evidence ; the opinion of the court as to the precise cause or causes of the casualty ; a negation of any suggestion as to the cause of loss not supported by the evidence ; the opinion of the court as to whether any person has been guilty of any negligence or default, and whether such negligence or default occasioned or contributed to the loss of the ship ; and, finally, a statement of any special precautions which the case shows should be

taken in future, together with any remarks on the conduct of the master and crew, or other circumstances connected with the case, which the court may think fit to make.

“The report must be signed by the president of the court, with his official title, and if he be a consul his consular seal should be attached. The depositions, and all the documents contained or referred to in it, must be originals and not copies, unless they are documents it is absolutely necessary to keep for some other purpose; in which case the copies must be certified by the president to be correct. The utmost attention should be paid in observing these formalities, as without them the proceedings of the court may be rendered nugatory. The report must be then sent home by the first opportunity to the Board of Trade, with a covering letter from the president or the consul.

“When a certificate has been cancelled or suspended by order of a Naval Court, it should be forwarded to the Board of Trade with the report of the court, if it has been granted in the United Kingdom, but if in a colony, to the governor or administrator of the colony in which it was granted.

“The only exception to this rule is when delay is likely to occur before the certificate is returned, beyond the date to which the certificate is suspended.

“For instance, if a certificate is suspended for three months by a Naval Court held at Batavia, and

the master's residence is at Singapore, the court should send the certificate to the governor of the Straits Settlement, to be returned on the expiration of the sentence. In such cases the report sent to the Board of Trade should carefully explain how the certificate has been disposed of."

As to the colonial certificates over which a Naval Court has power to deal, see "The Law: Merchant Shipping (Colonial) Act, 1869, s. 8."

"In all cases where gross misconduct or incompetency is shown, it will be better not to suspend the certificate for a certain term, but to cancel it, with a recommendation to the Board of Trade to return it at a stated time on being satisfied, by certificates of good conduct or by examination, that the officer is again fit to be in possession of it.

"As it is not advisable, as a rule, that officers should be entirely precluded from following their calling, the court, when cancelling or suspending a certificate, should take into consideration whether the officer may fairly be intrusted with a certificate of a lower grade than that which has been cancelled or suspended, and make a recommendation accordingly that a certificate for such a grade should be issued to him.

"Every certificate over which the court has no power of cancellation or suspension, or which the court does not think fit to suspend or cancel, should be returned to the holder at the close of the inquiry.

"All orders of a Naval Court should be entered in

the log-book of the ship in connection with which the court has been held, and should be signed by the president of the court.

“All orders of the court should be framed with great care, fully and distinctly, and in the strictest accordance with the provisions of the Merchant Shipping Acts, so that their authority may not be questioned in any particular when produced at any subsequent legal proceedings.

“For instance, whenever the whole or any part of the wages of a seaman are to be forfeited, or any compensation awarded to him, the forfeiture or award must be expressed in distinct terms, and the section of the Act under which the order is made should be quoted.

“The court should point out to any one who, wilfully and without due cause, prevents and obstructs the summoning or the conduct of any case or investigation by any Naval Court, that he thereby incurs a penalty of £50, or imprisonment with hard labour for twelve weeks, and will report the names and addresses of any person doing so, and will, if necessary, make use of any assistance that local authorities may be willing to render to prevent such obstructions; but the court has no power to enforce the penalty under the Act.

“When the court exercises its power of imprisonment” (see “The Law: The Act of 1855”), “which on shore in a foreign country can, of course, only be exercised so far as the laws and regulations of foreign

countries permit, it should be ascertained that the place of confinement is fit and proper, and the mode of treatment is humane."

EXPENSES OF NAVAL COURTS.

"No expenses should be incurred which are not necessary for the investigation of the case before the court.

"No allowance can be authorized to witnesses, except in cases of great hardship, or where experts are called to assist the court by their evidence." (See under "Wrecks and Casualties.")

"When a crew has been detained a long time, at considerable loss, the court may make them an allowance not exceeding the rate of pay they were last receiving, providing that they have not been in receipt of wages during that time, and have been detained solely for the purposes of the court, and have no interest in the investigation.

"The only other allowances are as follows:—

"For British shipmasters or merchants on the court, £2 2s. a day.

"For expert witnesses, £1 1s. or £2 2s. a day, according as the court may think right.

"For the clerk of the court, £2, if the court sit but one day; if more than one day, then for each day (including the first) £1 10s. This allowance is to include copying expenses and all clerical work necessary before and after the court sits.

“For a petty officer of the royal navy, for acting as provost marshal, 5s. a day.

“Interpreters, surveyors, medical men, and translators, when not holding appointments under her Majesty’s Government, the charges customary at the port. No charges should be made for the serving of summonses, except money actually paid out of pocket for boat hire and other necessary expenses incurred in serving them.

“All expenses should be entered in the report of the court as part of the costs, and no expenses will be allowed except so entered.

“The court has power to order the costs of the proceedings, or any portion of them, to be paid by any of the parties thereto, and any such order must be formally and carefully made to be of validity in any future proceedings.

“The Board of Trade are advised that parties to the proceedings include only parties on whose complaint the court has been held, or who have been complained against, or persons on whose application the court has been held.

“In a case of simple investigation into a wreck or casualty, therefore, no such order can be made on the master or owner of the ship unless the court has been held at their express request, nor can it be fairly made in such a case unless the investigation is proved to be useless, or to have been applied for and held for the benefit of the ship only.

“When the court is held at or near a port where there is a British consul, the consul will pay the expenses of the court, unless otherwise ordered, and will charge them in his account with the Board of Trade. When there is no British consul at hand, the expenses will be paid by the paymaster of the ship of war, under the authority of the senior naval officer.”

CRIMES COMMITTED ON THE HIGH SEAS AND ABROAD.

*Mode by which Offences may be tried, committed by
persons belonging to a British Ship.*

CRIMES committed on the high seas on board any British ship, and offences against property or person committed at any place in foreign countries by any person who, at the time of the commission of the offence, belongs to any British ship, or by any British subject who has within the previous three months belonged to any British ship, are subject to the same punishments, and may be tried in the same manner, as if they had been committed within the jurisdiction of the Admiralty in England, that is to say, according to the common criminal law of England.

Jurisdiction of Foreign Courts.

The consul will, however, remember that, subject to any special provisions made by treaty, offences against the municipal law of any country, committed within the limits of that country, although committed on board a British ship and by British subjects,

whether they may be tried according to British law or not, are certainly liable to be tried by the courts and according to the law of that country. The consul will also remember that persons committing offences on board a foreign ship, though British subjects, are liable to be tried by the law of the country to which the ship belongs.

Proceedings to be taken by Consul.

Upon a complaint being made to the consul of any offence against British law having been committed on the high seas, or if, without complaint, he becomes aware of any serious offence having been committed on board a British ship, he may inquire into the case upon oath, and may summon witnesses before him for that purpose; and if there is evidence which, in the opinion of the consul, is sufficient to substantiate the charge, he may send the offender to some place in the British dominions at which he can be tried. As prosecutions in such cases have often failed for want of observance of the requisite formalities, or for want of evidence, or for want of a prosecutor or of witnesses, and as sending home prisoners involves very serious expense, the consul should be most careful to observe the following rules.

Offenders to be sent Home in Aggravated Cases only.

The consul will not send home the offender at the public expense, unless the crime is murder, attempt to murder, piracy, slave-trading, manslaughter, aggravated assault, wilful destruction of the ship, deliberate and concerted mutiny, or some other offence of a *very serious nature*, involving risk to the life or welfare of others.

Cases where an Undertaking is given for Expenses.

In cases of petty theft, and also in cases of insubordination and of other crimes of that description, *the consul will in no case send the offender for trial, unless the master or agent of the ship, or some other person against whom the offence has been committed, undertakes to prosecute and to pay the expenses of sending home the offender and witnesses.* This undertaking must be such as to be satisfactory to the consul, and must be forwarded by him to the Board of Trade.

Witnesses must be sent.

The consul must in no case send an offender for trial, unless he at the same time sends the necessary witnesses to give *vivâ voce* evidence at the trial, or is satisfied that they are about to proceed to the place where the trial will be held. Sending the witnesses, however, must not interfere with his sending the depositions, as hereafter mentioned.

To what Place the Offender is to be sent.

In deciding to what place the offenders shall be sent for trial, the consul will be guided by circumstances. In general cases he will send them to Great Britain; but if there is any British court of justice capable of trying the offence, to which the offender and witnesses can be sent more cheaply, speedily, and conveniently, he will send them to the British possession in which such court is situate.

In what Ships they are to be sent.

If there is any Queen's ship, the officer in command of which is willing to receive the persons to be sent for trial, the consul will avail himself of the opportunity. If not, he will send them in the first British merchant ship which can take them; but he must not send more than one prisoner for every 100 tons, or more than one witness for every 50 tons of the ship's burthen.

Passage and Subsistence to be found.

He will point out to the master of the ship in which they are sent that he is bound, under a penalty of £50, to afford a passage and subsistence to every offender and witness so sent, and, upon the ship's arrival at the place to which they are sent, to give the offenders in charge into the custody of some police officer or constable, so that they may be taken

before a magistrate, to be dealt with according to the Act. He will also point out to the master how he is to be reimbursed.

Offenders and Witnesses to be kept in the mean time.

The consul will take such means as may be in his power for detaining the offender until he can be so sent as aforesaid, and will, if necessary, maintain the witnesses until they can be sent; and he will also, in matters of account, and in every other respect relating to offenders and witnesses so sent home, as far as the foregoing instructions and other circumstances permit, follow the *same rules* which are laid down for his guidance in the case of distressed seamen relieved and sent home by him.

Deposition before Consul.

In certain cases, depositions taken before consuls are made receivable as evidence in British courts of justice, but in order that they should have any effect, it is essential that all the requirements of the Act should be strictly complied with, and that *the utmost possible care* should be taken for that purpose; and in receiving and forwarding the depositions with this object, the consul should attend particularly to the following rules.

Depositions, how to be taken.

The depositions should always be taken down in writing at the time they are made, and, when the examination of the witness is concluded, should be read over to, and signed by him, and should be authenticated by the signature of the consul. The deposition should be headed by a statement in writing, under the hand of the consul, of the name and description of the deponent, and of the matter in which it is taken, including, in criminal cases, the name and description of the accused, and the charge made against him. The consul should also state distinctly, in writing, that the deposition is made before him, and, in criminal cases, that it is made in the presence of the accused.

If made in Foreign Language.

When witnesses make a deposition or give evidence in any other language than English, it should be through a competent interpreter, sworn to interpret truly, and the name of the interpreter and the fact that he was so sworn should be stated on the deposition and certified by the consul. The examination should take place through the interpreter, after he is sworn, and should be taken down by the consul in English, and signed by the interpreter.

Facilities for Cross-examination, etc., to be given to Accused Parties.

Where the case involves a charge against any person, the examination should always take place in the presence of the accused. Each witness's evidence, when completed, should be distinctly read and explained to the accused in his own language, and he should be told by the consul that he may put any question he thinks proper to the witness, and that the substance of the questions and the answers will form part of the evidence. If he puts any questions, the questions and answers should be taken down in English, and form part of the examination. This also, when necessary, should be done through a sworn interpreter.

Original Depositions to be sent.

The original depositions, and not copies, must in all cases be sent, and they must be sent at as early a period as possible. If the trial is to be in the United Kingdom, they must be sent to the Board of Trade, with a letter stating the substance of the case. If elsewhere, the depositions will be sent accordingly.

Sending Offenders Home.

Whenever any offender is so sent to the United Kingdom or any British possession for trial, the consul should forward at the same time, either to the

Board of Trade or to the proper officer in such possession, as the case may be, an account of all expenses incurred by him on behalf of the offender and of the witnesses in the case, in order that application for repayment of such expenses may be made to the court before whom the trial of the accused takes place.

INTERFERENCE OF FOREIGN COURTS OF JUSTICE.

Interference of Foreign Courts.

IN considering how far the interference of foreign courts should be allowed or invoked, the first question to be looked at is whether there are any treaties on the subject existing between Great Britain and the country in which the consul is acting. To the express stipulations of such treaties, all general rules of international law are subject; and the consul will, therefore, be guided by them in the exercise of his own functions, and will call upon the local authorities to act in accordance therewith.

Local Police Laws and Regulations.

Subject to any such treaties as aforesaid, the consul will remember that every country has the right of enforcing its own criminal law and police regulations in its own ports and harbours, and that if any offence against such laws or regulations is committed in such ports or harbours, on board a British ship, the offender is liable to be dealt with accordingly. In such cases the consul's duty will be confined to seeing that the offender is fairly tried, and that justice is properly administered. If the laws or

regulations of the place are in fault, it will be a matter for representation to the British minister in the country, or to her Majesty's Secretary of State for Foreign Affairs.

Offences punishable both by the Local and by British Law.

In cases where the offence is one which is punishable both by the law of the place as before mentioned, and also by British law, and where the local authorities are willing to interfere if required by the consul to do so, but not otherwise, he will consider whether the ends of justice will be best met by calling for such interference, or by sending the offender for trial in some British court of justice. The questions he will have to consider are—Which is the speediest and most certain mode of obtaining justice? which course is the best for the convenience of the ship and the witnesses? and, above all, whether the principles and practice of the foreign court can be relied on, and whether its proceedings and modes of punishment are such as would be considered proper and humane in the United Kingdom.

Imprisonment in Foreign Ports.

In any case in which, from whatever cause, any British seaman is committed to prison or otherwise punished in any foreign country, the consul will see

that the place of confinement and mode of treatment is such as would, in the United Kingdom, be considered proper and humane; if it is not, he will report the case to the British minister in the country, or to her Majesty's Secretary of State for Foreign Affairs.

Except as above mentioned, a British Ship carries British Law.

Subject to the exceptions before mentioned, the consul will remember that, according to well-established rules of national law, a British ship carries British law with her, and that all offences committed on board such ship on the high seas, and all mere breaches of discipline in foreign ports, as well as all matters arising out of the contract with the crew, are to be judged of by British law. In some foreign countries the local courts of justice will take notice of, and adjudicate upon, such contracts; but in these cases, it is usual for such foreign courts to act, in the case of a British ship, not according to their own law, but according to British law, so far as the construction of the contract is concerned. Except in cases where the consul cannot settle the matter otherwise, it is extremely undesirable that disputes between the masters and crews of British ships should be taken into foreign courts; but whenever this is done, the principles before mentioned should be adhered to. The consul should explain the

British law ; and if this is not followed, he should report the case to the British minister, or to her Majesty's Secretary of State.

British Seamen serving on board Foreign Ships.

In cases where British seamen are employed in foreign ships, the consul will remember that, in accordance with the principles before mentioned, they are, whilst so employed, subject to the law of the country to which the ship belongs, and not to British law. If, therefore, the consul is called upon to interfere in their behalf, he should, either in applying to the local authorities, or in taking any other steps that may be necessary, endeavour to obtain the assistance of the consul of the country to which the ship belongs.

PART V.

WRECKS AND CASUALTIES.

SALVAGE BY HER MAJESTY'S SHIPS.

SALVAGE OF LIFE.

WRECKS AND CASUALTIES.

Notice of Wrecks, Losses, etc.

THERE is no enactment or law expressly requiring masters of British ships which have suffered wreck or damage to report to the consul, but they will almost invariably do so, for the purpose of making a protest, if not for the purpose of claiming assistance; and even if they should not, the consul will scarcely fail to be informed of the occurrence.

Consuls to give Assistance.

Whenever any British ship is wrecked, lost, or abandoned within the limits of the consulate, it will be the consul's duty to give every assistance in his power towards saving the lives of those on board, and preserving the property for the owners. The particular steps to be taken for this purpose will depend on the circumstances of each case, and on the powers which he may possess under treaties, or under the laws of the country in which he is acting. He will endeavour to obtain the assistance of the local authorities, if necessary, and he will also endeavour to have that assistance rendered in such a

shape and to such an extent, *and to such an extent only*, as may be for the interest of the owners or insurers.

Interference authorized by Treaty.

In countries where the British consul is authorized by treaty to interfere in matters of wreck and to claim wrecked property, he will, so far as the treaty permits, require the local authorities to allow him to act accordingly, and to prevent the interference of improper and unauthorized persons. He will also demand the restitution of property saved, subject to salvage and other proper expenses. If any difficulty is thrown in his way, contrary to the spirit of the treaty, he will represent the case to the British minister, or to her Majesty's Secretary of State.

Consul not to interfere with Masters or Agents.

If, in cases of wreck or casualty, the master, or any other competent officer of the ship, is present, the consul will not, unless there is reason to suspect foul play, interfere with any steps they may take for saving the ship or cargo, but will give such assistance as may be in his power. In like manner, if any other authorized agent of the owners is present, he will permit him to take the necessary steps, merely giving his assistance. The consul will, however, on the one hand, consider himself bound to do whatever may be necessary with the local

authorities, and will, on the other, require the master or agent to pay any expenses which he (the consul) has properly incurred.

Assistance to Persons on board Wrecked Vessels.

The consul will give all necessary assistance to the persons on board the wrecked vessel. In cases of death, he will endeavour to ascertain the identity of the deceased, will see that they are buried, and will report their names and descriptions to the Board of Trade. The consul's further duties in respect of the crews of shipwrecked vessels are given under the heading of "Shipwrecked Seamen."

Consul to claim and preserve Goods.

If parts of the ship or goods are washed on shore, or otherwise found out of the custody of the master or crew, the consul will, so far as he is able, claim and keep the goods for the owners, insurers, or their agents; he will communicate with Lloyd's agent, and will do his utmost to co-operate and act in harmony with him; he will give the owners notice of the wreck and of the goods in his possession, and will deliver or deal with them, subject to the payment of proper fees and expenses, as the lawful claimants may direct.

Goods lost or damaged at Sea.

The consul's duties with respect to wrecked goods apply not only to vessels stranded within the bounds of the consulate, and their cargoes, but also to any portion of such ship or cargo which may be brought into the district of his consulate in consequence of any wreck or disaster at sea.

Papers saved.

If any papers, such as charter-parties, bills of lading, ship's Articles, etc., are found, the consul will collect them, and after marking them and keeping a note of them, will restore them to their owners. For this purpose, the consul may send them either to the Board of Trade or otherwise, as he thinks best.

Communication to Interested Parties.

The consul will, at the earliest opportunity, communicate any particulars relating to the wreck or damage of British ships and their cargoes to the persons interested. This may be done either directly or through the Board of Trade, if the parties reside in the United Kingdom, or in any other way the consul may think best.

Sale of Wrecked Articles.

In cases in which wrecked property comes into the possession of the consul, and neither the owner, nor the master, nor any authorized agent can be found or communicated with, the consul may, if the case requires it, sell the property, or such part of it as is perishable or not worth the expense of warehousing, for the benefit of those interested; but in such cases, neither the consul nor those employed by him must be interested to any extent, directly or indirectly, in the purchase of the articles. If the lawful claimants cannot be found, and the property is not claimed by the local authorities, he will, after the expiration of a reasonable time, sell the property, and remit the proceeds to the Board of Trade, to be dealt with as droits of Admiralty.

Admission of Wrecked Goods for Consumption.

The consul will interpose his good offices with the local authorities, to obtain the reduction or remission of duties on goods which, on account of shipwreck or jettison, it is necessary to sell in the country. In this he will be guided by the treaties, and will bear in mind that the principle adopted in the United Kingdom, and which her Majesty's Government would wish to see universally adopted, is that such goods should be admitted for consumption in the country where the wreck takes place, to

the same extent and on the same terms as if they had been imported in a ship of that country.

Jettison of Cargo.

When cases of general average occasioned by jettison are brought before the consul, he will take all the means in his power to ascertain if the jettison was necessary, and the loss thereby occasioned real; and if he has any reason to suppose that any fraud or improper act has been committed by the captain or the crew, to the injury of the owners or insurers of the ship or cargo, he will take steps to inform them, and to enable them to procure the necessary evidence. He will also report the case to the Board of Trade, sending the depositions or other evidence in the manner mentioned in case of "Crimes committed on the High Seas."

Upon every Wreck, etc., Report to be made to the Board of Trade.

In addition to the above, the consul will in every case, when it comes to his knowledge that any British ship has been wrecked, lost, or seriously damaged, and where he does not think it necessary to summon a naval court, or has not the power of so doing, report the circumstances to the Board of Trade, stating what, in his opinion, was the cause of the casualty, with any other matters he may think important. He will be especially careful to report any circumstances showing fraud, negligence, or misconduct on the part of the master or officers.

CASUALTY REPORTS, WR. 1.

Annual Parliamentary Return.

To enable the Board of Trade to comply with an order of the House of Commons for a return of wrecks and casualties abroad, to be presented annually with the return of wrecks on the coasts of the United Kingdom, it is necessary for the Board to obtain detailed information respecting wrecks abroad.

Return on Form Wr. 1 to be sent to Board of Trade.

The consul is therefore requested, in every case where, whether from the landing of either a shipwrecked crew or seaman of a British vessel within the district of the consulate or neighbouring sea, or in any other way, he learns that a British vessel has been in distress, or wrecked, or damaged, either on the coasts within the district of the consulate, or at sea, to fill up, and forward to the Board of Trade, returns on Form Wr. 1.

Subdivision of Form.

This form has been divided into the following nine classes, viz. :—

- Wr. 1a. Collisions on the coasts of the United Kingdom.
- Wr. 1b. Do. abroad.
- Wr. 1c. Foundering after leaving a port in the United Kingdom.
- Wr. 1d. Do. colonial port.
- Wr. 1e. Do. foreign port.
- Wr. 1f. Strandings on the coasts of the United Kingdom.
- Wr. 1g. Do. abroad.
- Wr. 1h. Miscellaneous on the coasts of the United Kingdom.
- Wr. 1i. Do. abroad.

The nature, place, etc., of the wreck or casualty must be the guide to the consular officer for the form to be used. Careful attention is requested to the rules and notes which will be found upon the forms.

The Return should be complete.

It is most important that the information should be as complete as possible, and that the consul should, as far as possible, comply with the following:—

- (1) The writing should be so distinct as to be unmistakable by those who have occasion to refer to the reports;
- (2) The name and nationality should be accurately ascertained by reference, if necessary and possible, to some official document;
- (3) The port of registry should, if possible, be stated;
- (4) The signal letters, if any, allotted to the vessel in the British code list should be mentioned in column 3 of the form Wr. 1, below the register tonnage;
- (5) The date of casualty, not omitting the month and year;
- (6) The place of casualty, specifying clearly the part of the coast, river, country, or sea where the casualty actually occurred;
- (7) The state of the sea at the time of the

casualty should be noted in column 12 of the revised forms ;

- (8) How the crew were saved, or whether they remained on board in no danger ;
- (9) Some account of the casualty itself, which should be inserted in the last column at the back of the form ;
- (10) And as often as possible it should be stated whether the vessel has, or is likely to, become a total loss, or whether she has merely received trifling damage.

The amount of insurance on the freight should also be stated in column 16.

The Return is a Private Document.

The statements and remarks respecting the casualty contained in the return Wr. 1 are obtained only for departmental purposes, and in no case are copies of such documents to be furnished to the public.

Allowance for Returns.

As the rendering of these returns will entail some additional labour, the Board of Trade have decided, with the concurrence of the Lords Commissioners of her Majesty's Treasury, and the Secretary of State for Foreign Affairs, that for each complete casualty return transmitted to the Board of Trade by her Majesty's consuls an allowance of

5s. will be made, in addition to any travelling expenses paid out of pocket and necessarily incurred in obtaining the required information. This amount may be claimed whether the casualty has been followed by a Naval Court or not.

Subject to Revision.

It is to be understood that the allowance is subject to revision.

How to be charged.

The allowance for returns and the travelling expenses should be charged as a separate item in the consul's quarterly account current with the Board of Trade.

How to be paid to Vice-Consuls.

In cases where these returns are made by vice-consuls or other subordinate consular officers, they should be forwarded through the consul, and the fees should be paid to the vice-consul or consular officer by the consul, and charged by him in his account with the Board of Trade.

Supply of Forms.

The consul should be careful to keep his vice-consuls well supplied with the above forms, for which purpose a sufficient number should be kept on hand, and application made to the Board of Trade for a fresh supply before the stock becomes too low.

Travelling Expenses, in some Cases not allowed.

The consul will not be allowed travelling expenses incurred, either by himself or his agent, in obtaining information respecting casualties, unless there is *primâ facie* evidence that a Naval Court should be held in the case, or the consul has reason to believe that evidence of importance to the public will be lost unless inquiry be made on the spot at once.

In all other cases, the information necessary to fill up the form Wr. 1 should be obtained, if possible, without such expense; but if this is impossible, the consul should report the movements of the master, so that the information may be obtained from him as soon as he arrives at a port. When the master is proceeding to the United Kingdom, the report should be made to the Board of Trade; when to another foreign port, to the consul at that port; when to a colonial port, to the shipping master,

SALVAGE BY HER MAJESTY'S SHIPS.

General Object of the Enactments.

IN order to prevent needless detention of the ships or property salvaged, and at the same time to insure due satisfaction of the claims of the salvors provision is made for releasing the lien of the salvors upon due security being given, of which the consul will, in certain cases, have to judge.

Claims for Salvage determined according to the Law of the Place.

The consul will give his best assistance in settling the claims of salvors. The crew of the ship are not entitled, according to British law, to make any claim as salvors. The claims of other salvors will be determined according to the law of the place.

Voluntary Agreements for Salvage.

The consul will notice that where the salvor (whether a person employed in her Majesty's service or not) and the master of the ship salvaged can agree between themselves for the purpose, they may enter into an agreement which will have the same effect as the bond to be used in cases of salvage by her

Majesty's ships. This agreement need not be entered into before the consul, and he need not, necessarily, have anything to do with it; but it is desirable that he should be aware of the effect of such agreements, and should be able to point out to parties interested a mode of settling disputes which may often prevent unnecessary detention and annoyance.

No Claim for Salvage to be allowed in respect of Loss or Risk to her Majesty's Ships.

In cases where salvage services are rendered by any ship belonging to her Majesty, or by the commander or crew thereof, no claim shall be made or allowed for any loss, damage, or risk thereby caused to such ship, or to the stores, tackle, or furniture thereof, or for the use of any stores or other articles belonging to her Majesty, supplied in order to effect such services, or for any other expense or loss sustained by her Majesty by reason of such services.

Salvors to take a Ship to a Port where there is a Consul or Judge.

If any of her Majesty's ships, or any of the crews of such ships, render salvage service to a merchant ship at any place out of the United Kingdom and the four seas adjoining thereto, then, unless the parties can agree between themselves in manner before mentioned, the salvor must, instead of retain-

ing possession until the claim is settled, take the ship to some foreign port where there is a consul, or to some British port where there is a Vice-Admiralty judge. In so doing the salvor will, so far as his primary duty to the Queen's service permits, be guided by the convenience of the ship salvaged.

Salvor and Master to furnish Consul with Statement.

Within twenty-four hours after the ship's arrival, the salvor and the master of the salvaged ship must each deliver to the consul a statement verified on oath. The salvor's statement must contain the following particulars :—

- (1) The place, condition, and circumstances in which the salvaged ship, cargo, or property was at the time when the services were rendered for which salvage is claimed ;
- (2) The nature and duration of the services rendered ;
- (3) The proportion of the value of the said ship, cargo, and property, and of the freight which he claims for salvage, or the value at which he estimates the said ship, freight, cargo, and property respectively, and the several amounts that he claims for salvage in respect of the same ;
- (4) Any other circumstances he thinks relevant to the claim.

The master's statement must contain the following particulars, viz. :—

- (1) The place, condition, and circumstances in which the said ship, cargo, or property was at the time when the services were rendered for which salvage is claimed ;
- (2) The nature and duration of the services rendered ;
- (3) A copy of the Certificate of Registry of the said ship, and of the endorsements thereon, stating any change which (to the master's knowledge or belief) has occurred in the particulars contained in such certificate ; and stating also, to the best of his knowledge and belief, the state of the title to the ship for the time being, and of the incumbrances and certificates of mortgage or sale (if any) affecting the same, and the names and places of business of the owners and incumbrancers ;
- (4) The name and place of business or residence of the freighter, if any, of the ship, and the freight to be paid for the voyage she is then on ;
- (5) A general account of the quantity and nature of the cargo at the time the salvage services were rendered ;
- (6) The name and place of business or residence of the owner of such cargo, and the consignee thereof ;
- (7) The values at which the master estimates the ship, cargo, and property, and the

- freight respectively, or, if he thinks fit, in lieu of such estimated value of the cargo, a copy of the ship's manifest ;
- (8) The amounts which the master thinks should be paid as salvage for the services rendered ;
 - (9) An accurate list of the property salvaged, in cases where the ship is not salvaged ;
 - (10) An account of the proceeds of the sale of the ship, cargo, or property, in cases where the same or any of them are sold at the port ;
 - (11) The number, capacities, and condition of the crew of the ship at the time the services were rendered ;
 - (12) Any other circumstances he thinks relevant to the matters in question ;
 - (13) A statement of his willingness to execute a bond in the form marked W. in the schedule of the Act, in such amount as the consul may fix.

If the parties are unable to give all the above particulars, the reason for omitting any of them should be stated.

Consul to fix Amount of Bond.

Upon receiving these statements, the consul will carefully consider them, and will, within four days after receiving them, fix what he considers an

adequate sum to compensate the salvors for the services rendered, and to cover any additional claim for costs. In doing this, he will remember that the claim will have to be decided by the court, and that, in the case of a British ship, the only security required is a bond by the master. In that case, therefore, he will fix a sum which will cover the claim actually made by the salvor, with an additional sum of £150 for costs. In the case of a foreign ship, where sureties are required, it is important that the amount secured is not excessive, and the consul will therefore, in that case, have to exercise greater discretion.

If he requires additional information, he may examine the parties or witnesses upon oath or affirmation. In such case, the evidence is to be taken in writing, and to be attached to or accompany the statements. If either party fails to make his statement, the consul may proceed *ex parte*, but he should not, except in a pressing case, do so without giving notice; and if the ship or property salvaged is to be sold, he should allow a reasonable time for the purpose of giving the particulars of the sale. He has no power, in any case, to require the cargo to be unladen. In fixing the amount for which security is given, in the case of a foreign ship, he will approximate as nearly as he can to what he considers sufficient compensation for the services rendered; and he will be guided, so far as he has the means and knowledge, by the rules which ordinarily guide

Admiralty courts in such cases, and he will add £150, or thereabouts, to cover costs. He will also remember, on the one hand, that the bond being substituted for the property by way of security for the claim, the amount should be large enough to cover it; on the other hand, he will bear in mind that no claim can ever be made in respect of any loss or risk to the Queen's ship or her stores, and that it must in *no case exceed more than one-half of what he considers to be the true value of the property saved.*

Consul to cause Bond to be prepared.

When the consul has determined the amount, he will give notice to the parties, and will cause a bond to be prepared in the form marked W. in the schedule to the Act, and will see that it is properly filled up with the particulars as given to him, and with the sum which he has determined. If the parties wish that the case should be adjudicated on in any Vice-Admiralty court in the British dominions, the name of the court and the place for which it acts is to be inserted in the bond; if not, the Admiralty Division of the High Court of Justice in England will be the court to adjudicate upon it. This bond must be executed by the master in the presence of the consul, and must be attested by him. The consul will then deliver it to the salvor, and thereupon the lien of the salvor on the property will cease, and his remedy will be upon the bond.

*Additional Security if the Ship is owned by
Foreigners.*

If, however, the ship or property salvaged is owned by persons who reside in any foreign country, such additional security must be given as the consul may approve. For this purpose it will be his duty to see that the persons giving the security are solvent persons, and that the security is one which is capable of being enforced in a British court of justice. This security may be in the Form C. 28, or to a like effect. This bond, when executed and attested, must be given to the consul, or, if the salvor so desires, must be placed in the joint possession of the consul and any other person whom the salvor appoints for the purpose, to be afterwards dealt with as the court which shall adjudicate upon it may direct.

*Consul to transmit Statements, etc., to Admiralty
Division of High Court of Justice.*

The consul must, by the first post, transmit the *original* statements and documents relating to the matter, together with a copy of the bond, certified by him to be a true copy, to the Registrar of the Admiralty Division of the High Court of Justice in England; or, if it is to be adjudicated upon in any Vice-Admiralty court, to the judge of such court.

SALVAGE OF LIFE.

Salvage for Life may be paid by Board of Trade out of Mercantile Marine Fund.

By s. 459 of the Merchant Shipping Act, 1854, it is enacted as follows :—

“Salvage in respect of the preservation of the life or lives of any person or persons belonging to any such ship or boat as aforesaid, shall be payable by the owners of the ship or boat in priority to all other claims for salvage; and in cases where such ship or boat is destroyed, or where the value thereof is insufficient, after payment of the actual expenses incurred, to pay the amount of salvage due in respect of any life or lives, the Board of Trade may, in its discretion, award to the salvors of such life or lives, out of the Mercantile Marine Fund, such sum or sums as it deems fit, in whole or part satisfaction of any amount of salvage so left unpaid in respect of such life or lives.”

Provisions of the Act with regard to Salvage of Life extended to wherever the Service may be rendered.

By s. 9 of the Admiralty Court Act, 1861, it is enacted as follows :—

“All the provisions of the Merchant Shipping

Act, 1824, in regard to salvage of life from any ship or boat within the limits of the United Kingdom, shall be extended to the salvage of life from any *British* ship or boat, wheresoever the services may have been rendered, and from any foreign ship or boat where the services have been rendered, either wholly or in part, in *British* waters."

The principle that claims in respect to salvage of life take priority of all salvage claims against wrecked property salved, is thus extended to British ships wrecked abroad, and it will be the duty of the consul, as far as possible, to see that this principle is fully carried out in all cases in which property or life is salved within the limits of his district.

PART VI.

DEFINITION OF NAUTICAL,
MERCANTILE AND LEGAL TERMS.

DEFINITION OF NAUTICAL, MERCANTILE, AND LEGAL TERMS.

Abandonment.

ABANDONMENT is a term used in commerce and navigation to express the abandoning, or surrender, of a ship or of goods insured to the insurers.

When, in consequence of the occurrence of any of the perils insured against, the insured has acquired the right to abandon, he is at liberty to do so or not, as he may think proper ; but should he elect to abandon, he must give notice within a reasonable time, and such notice of abandonment is final, and cannot be rescinded. By the law of England, the insured has the right to abandon and claim from the insurers the value of the goods insured “where, by the happening of any of the misfortunes or perils insured against, the voyage is lost or not worth pursuing, and the projected adventure is frustrated ; or where the thing insured is so damaged and spoiled as to be of little or no value to the owner ; or where the salvage is very high ; or where what is saved is of less value than the freight ; or where further expense is necessary, and the insurers will not undertake that expense.” These cases constitute

a constructive total loss which entitles the assured to abandon his interest in the thing insured to the insurers. There can be no partial abandonment, except by agreement between the insured and the insurers; it must be entire and unconditional.

In cases of shipwreck, where the vessel is so much injured as to exist no longer as a ship, or in cases of stranding, where the vessel cannot be got off, or the expense of getting her off would exceed her value, the right to abandon has been acquired.

No particular form of words is necessary in giving notice of abandonment; it may be in writing, or by parole.

Accidents.

Section 326 of the Merchant Shipping Act, 1854, provides: "Whenever any steamship has sustained or caused any accident occasioning loss of life or any serious injury to any person, or has received any material damage affecting her seaworthiness or her efficiency, either in her hull or in any part of her machinery, the owner or master shall, within twenty-four hours after the happening of such accident or damage, or as soon thereafter as possible, send to the Board of Trade, by letter signed by such owner or master, a report of such accident or damage, and of the probable occasion thereof, stating the name of the ship, the port to which she belongs, and the place where she is; and if such owner or master neglect so to do, he shall for such offence incur a penalty not exceeding £50."

Section 327: "If the owner of any steamship have reason, owing to the non-appearance of such ship, or to any other circumstance, to apprehend that such ship has been wholly lost, he shall, as soon as conveniently may be, send notice thereof in like manner to the Board of Trade; and if he neglect so to do within a reasonable time, he shall for such offence incur a penalty not exceeding £50."

Section 328: "In every case of collision in which it is practicable so to do, the master shall, immediately after the occurrence, cause a statement thereof, and of the circumstances under which the same occurred, to be entered in the official log-book (if any), such entry to be signed by the master, and also by the mate or one of the crew, and in default shall incur a penalty not exceeding £20." (See also "Concealment of Accidents.")

Affidavits.

See "Oaths."

Attestations.

Documents attested by a consular officer under his hand and seal of office become legal evidence in a court of law. (*For forms of attestation, see Appendix*).

Average.

Average, as applied to maritime affairs, is of two kinds—general and particular, and signifies a con-

tribution to be made by the insurers for damage or partial loss sustained by the property insured.

General average arises when a sacrifice of part of the ship or cargo is voluntarily made to prevent the whole from becoming lost, or when some extraordinary expense is fairly and *bonâ fide* incurred for the common benefit of ship and cargo; as, when the ship has been damaged for the safety of the cargo, by the cutting away of masts, throwing overboard spars, etc., and is compelled in consequence, in order to convey the cargo safely to its destination, to put into a port to repair, the amount of such repairs is calculated in general average; or if goods are thrown overboard, to lighten a ship in peril or distress, it becomes a general average loss: but, as stated by Lord Tenterden, "the act must be the effect of danger and the cause of safety." Goods washed overboard by the sea cannot become the subject of general average, as underwriters, on an ordinary policy of insurance, are not responsible for deck loads, except in some exceptional cases where it is *usual*, and the *custom of the trade*, to carry such deck loads.

No general average takes place except it can be shown that the danger was imminent, and that the sacrifice made was, or was supposed to be, indispensable, by the master of the ship, for the safety of the ship and cargo. The particular circumstances occasioning a general average should be carefully entered in the ship's log. The entry should par-

ticularize the nature of the sacrifice, that it was absolutely necessary, and that it was made for the benefit of both ship and cargo. The master should note and extend his protest as soon after the occurrence as possible.

The property that rateably contributes in a case of general average is the cargo—that saved and any which may have been lost—the ship, and freight. Passengers cannot be called upon to contribute either in respect to their personal safety or their baggage. The master has a lien on the cargo until the general average claims are paid, and he should satisfy himself that these claims will be promptly met, on the adjustment of the average, before parting with his cargo. A bond is usually drawn and signed by the various contributors, so as not to impede the delivery of the cargo, and to give the average-adjuster time to complete his work.

The following mode of adjusting a general average is taken from Lord Tenterden's valuable work on the "Law of Shipping:"

"The reader will suppose that it became necessary in the Downs to cut the cable of a ship destined for Hull; that she afterwards struck upon the Goodwin, which compelled the master to cut away his mast and cast overboard part of his cargo, in which operation another part was injured; and that the ship, being clear from the sands, was forced to take refuge in Ramsgate Harbour to avoid the further effects of the storm.

Amount of Losses.		Value of Articles to contribute.	
	£		£
Goods of A. cast overboard	500	Goods of A. cast overboard	500
Damage of the goods of B. by the jettison	200	Sound value of the goods of B.	1000
Freight of the goods of A. thrown overboard	100	Goods of C.	500
Price of a new cable, anchor, and mast . . . £300		„ D.	2000
Deduct one-third . . £100		„ E.	5000
	200	Value of the ship	2000
Expense of bringing the ship off the sands	50	Clear freight, deducting wages, victuals, etc.	800
Pilotage and port dues going into the harbour and out, and commission to the agent who made the disbursements	100		
Expenses there	25		
Adjusting the average	4		
Postage	1		
Total of losses	1180	Total of contributory values	11,800

“Then, as £11,800 : £1,180 :: £100 : £10; that is, each person will lose 10 per cent. upon the value of his interest in the cargo, ship, or freight. Therefore A. loses £50, B. £100, C. £50, D. £200, E. £500, the owners £280; in all, £1180. Upon this calculation the owners are to lose £280; but as they are to receive from the contribution £380 to make good their disbursements, and £100 more for the freight of the goods thrown overboard, or £480, minus £280—

They, therefore, are actually to receive	£ 200
A. is to contribute £50, but has lost £500; therefore A. is to receive	450
B. is to contribute £100, but has lost £200; therefore B. is to receive	100
Total to be actually received	750
On the other hand, C., D., and E. have lost nothing, and are to pay as before, viz.	<div style="display: inline-block; vertical-align: middle;"> <div style="display: inline-block; vertical-align: middle;">{</div> <div style="display: inline-block; vertical-align: middle;"> C. 50 D. 200 E. 500 </div> </div>
Total to be actually paid	750

which is exactly equal to the total to be actually received, and must be paid by and to each person in rateable proportion."

It must not be supposed that this system of average adjustment is universal. Almost every maritime country has its own method; but it is to be hoped that some definite understanding will shortly be arrived at, as the initiation was taken by the "Association for the Reform and Codification of the Law of Nations," in 1877, and a system, known as the "York-Antwerp Rules," was formulated.* This system was adopted by the New York Board of Underwriters in October, 1878, and as Germany, the Netherlands, Austria, Belgium, etc., have expressed their approval, it appears probable that the "York-Antwerp Rules" will soon be adopted as the universal system for the adjustment of averages.

Particular average is a partial loss, to cover which insurance has been effected, and it may be in respect to cargo, ship, or freight. With regard to the ship, Steel says, "It may consist in the loss of boats if properly lashed up, the breaking of a cable and loss of anchor, and damage by running ashore to avoid a greater peril from storms or heavy seas, from the attack of an enemy, or from endeavours to escape capture. Again, when a vessel runs foul of another, if neither is particularly to blame, each owner must bear his own loss, which is recoverable from the underwriters. The amount

* See Appendix, p. 373.

of damage must be 30s. upon the whole value, to render the underwriters liable for the loss ; unless it may arise from the stranding of the vessel. The claim of freight, as it is generally specially mentioned in the policy, is necessarily left open, as the interest may appear. In the event of the goods being lost, and the freight irrecoverable, the underwriters have to make it good, or to bear their proportion when the freight has been insured.” (*For form of average bond, see Appendix.*)

Barratry.

Barratry in navigation means any fraudulent or unlawful act committed by the master or seamen of a ship, contrary to their duty, and to the prejudice of the owners. It may be committed by running away with the ship, by selling her, or by disposing of the cargo ; by attempting a breach of blockade, or being concerned in smuggling, or conniving at smuggling on the part of the crew ; or by committing any illegal act which would render the ship liable to seizure and confiscation. If the master of a ship be also the sole owner, he cannot commit barratry, as no man can commit a fraud against himself ; but if he be but part owner, he can commit barratry against the owners of the other part. Where the master of a ship, in the exercise of his discretion, errs in judgment without any fraudulent intent, it is not barratry ; the act in itself must be fraudulent or criminal, and not

an error of judgment, as, according to Lord Ellenborough (*Todd v. Ritchie*), "To constitute barratry, which is a crime, the captain must be proved to have acted against his better judgment."

Bills of Lading.

Bills of lading, when signed by the master, or by any person duly authorized by the owner of the ship, are evidence of the goods having been received on board, and the shipowner becomes responsible for their due delivery. The charterer is liable to the shipowner for any breach of the charter-party, but the consignee of the cargo is, ordinarily, only liable on the face of the bills of lading, as he may be wholly ignorant of the nature of the charter-party. It is of the utmost importance that the master should, before signing bills of lading, be certain that the goods are on board his ship; and the stipulations as to freight should be clearly expressed. Unless he has certain knowledge of the contents of packages, he should insert the clause, "Contents unknown," and in the case of fragile articles or liquids, it should be, "Not accountable for breakage or leakage." When he is uncertain of the quality, weight, or quantity, he should state, "Weight and contents unknown," or "Quantity and quality unknown," or "Number and contents unknown," as the case may be. The master should bear in mind that his signature to bills of lading binds the owners of the ship to the due per-

formance of all their stipulations, the perils of the sea excepted. The importance of circumspection in signing bills of lading has been recently exemplified in a case tried before Lord Coleridge, a report of which appeared in the *Shipping and Mercantile Gazette* of the 13th of December, 1878, and is as follows :—

“ Alleged Breach in forwarding Goods.—Bills of Lading and Mate’s Receipts.—Hodge and Another v. General Steam Navigation Company.

(Before Lord Coleridge.)

“ This action was brought to recover £285 3s. 9d., the value of three parcels of sugar shipped by the defendants’ steamers, *Earl of Aberdeen*, *Nord*, and *Widgeon*, for Amsterdam and Rotterdam. The defendants, by their pleas, denied their liability.

“ Mr. W. Williams, Q.C., and Mr. Mathew appeared for the plaintiffs; and Mr. R. E. Webster, Q.C., and Mr. H. Smith for the defendants.

“ The plaintiffs were sugar refiners, and last December they sold the sugar to one Van der Willigen, upon the terms that the plaintiffs should deliver the goods free on board, and that Van der Willigen should pay the invoice price for cash against mate’s receipt. The plaintiffs averred that the sugar was shipped and they obtained the mate’s receipt, but Van der Willigen failing to pay the invoice price, the plaintiffs applied to the defendants for delivery of the bills of lading; but they stated

that they had already forwarded the goods in the steamers, and plaintiffs complained that the defendants had committed a breach in sending the goods on and not handing the plaintiffs the bills of lading in exchange for the mate's receipt. It appeared that a buyer under such a contract as the one in question had to provide shipping room, and to make the necessary arrangements with the brokers who were acting for the ship by which it was intended that the goods should be forwarded. The plaintiffs' lightermen put the goods on board, and received the mate's receipt, which contained the memorandum on account of Van der Willigen, and forwarded the receipt in the ordinary way to the plaintiffs, who sent an invoice to Van der Willigen, requiring payment, at the same time tendering the mate's receipt in accordance with the contract. The amount, however, was not paid, and on an application being made by the plaintiffs to the brokers for the bills of lading, it was ascertained that the goods had been forwarded to their destination, and that the bills of lading had gone in the vessels. The plaintiffs then made a claim upon the defendants for the value of the goods, and pointed out that the bills issued by the company provided that the bills of lading would only be given up in exchange for the mate's receipt. The company refused to admit any liability. It appeared that the bills of lading were made out on Van der Willigen's own printed forms, and contained the names of the consignees to whom the goods were to

be delivered under Van der Willigen's contract for the resale of the sugar, and it was stated that no doubt the goods were received by the consignees named by Van der Willigen. It was submitted, in support of the plaintiffs' case, that if the defendants parted with the bills of lading without the production of the mate's receipt, they did so upon their own responsibility, and must bear the consequences. It was also stated that it was usual for the seller to hold the mate's receipt as security for the payment of goods on such contracts as the one in question.

“The defence was that the sugar was delivered to the company by Van der Willigen, to be carried and delivered to certain consignees named by him; that Van der Willigen delivered to the defendants the bills of lading; and that they had no notice or knowledge that Van der Willigen was acting on behalf of the plaintiffs, or that they were interested in the goods. The defendants further alleged that the plaintiffs did not apply for the bills until several days after the defendants had delivered the sugar, that the goods were shipped on account of Van der Willigen, that the plaintiffs thereby altered their position, and that they suffered Van der Willigen to hold himself out as the owner of the goods. They had frequent transactions with Van der Willigen, and the memorandum on account of that person had misled the defendants as to the ownership of the goods.

“Lord Coleridge summed up, and the jury found a verdict for the plaintiffs for the amount claimed, with interest—in all £300.” (See also “Damage to Cargo.”)

Bill of Health.

A bill of health is a document issued by the consul, or the public authorities of the port which a ship sails from, descriptive of the health of the port at the time of the vessel's clearance. A *clean* bill of health certifies that at the date of its issue no infectious disease was known to exist either in the port or its neighbourhood. A *suspected* or *touched* bill of health reports that rumours were in circulation that an infectious disease had appeared, but that the rumour had not been confirmed by any known cases. A *foul* bill of health, or the absence of a *clean* bill of health, implies that the place the vessel cleared from was infected with a contagious disease. The two latter cases would render the vessel liable to quarantine. (*For form of bill of health, see Appendix.*)

Births and Deaths at Sea.

Section 37, clause 1, of the Births and Deaths Registration Act, 1874, provides for the captain of a merchant vessel recording in “the log-book or otherwise” the “birth of a child or death of a person on board ship, together with certain other particulars;” and on the arrival of the ship in the United King-

dom or elsewhere, "a return of the facts so recorded" must be forwarded to the Registrar-General of Shipping and Seamen, "in such form or manner as the Board of Trade may direct." The Board of Trade accordingly directs that the return shall be made in the form given in the Official log-book, to be forwarded in due course to the Registrar-General of Shipping and Seamen.

Section 37, clause 3, enacts that the Board of Trade may, if they think fit, direct that the said return of births and deaths be delivered, "upon the arrival of the ship at any port or place out of the United Kingdom," to the principal British consular officer at the port or place, for the purpose of being transmitted to the Registrar-General of Shipping and Seamen. The Board of Trade has so directed.

Tables have been inserted in official log-books to meet the requirements of the Births and Deaths Registration Act, and clause 8 enacts "that every captain or master who fails to comply shall be liable to a penalty not exceeding £5 for each offence."

Blockade.

Lord Stowell says that "a blockade is a sort of circumvallation round a place, by which all foreign commerce is, as far as human force can effect it, cut off. It is intended to suspend the entire commerce of that place, and a neutral is no more at liberty to assist the traffic of exportation than of importation.

The utmost that can be allowed to a neutral is, that having taken on board a cargo before the blockade begins, she may be at liberty to retire with it. But it must be considered as a rule, that a neutral ship, departing, can only take away a cargo truly and honestly purchased and delivered before the commencement of the blockade, and if she afterwards takes on board a cargo, it is a fraudulent act, and a violation of the blockade."

M. Pradier Fodéré, in his notes to the edition of "*Vattel*" published in Paris, 1863, says, "The blockade commences when it is really supported by sufficient forces; it ceases when these forces do not further support it: the reality of the blockade is the sole condition of its existence." Paper blockades, blockades by notification, are now no longer recognized, and a blockade to be real and effectual must be maintained by a sufficient force to interdict access to the place blockaded.

A wilful attempt to break a blockade entails the forfeiture of the ship, whether she be a neutral vessel or a vessel of the belligerent parties; but an innocent person, not being aware of the blockade, and not having been warned off by the blockading squadron, cannot be held accountable, and his vessel, if captured, would not be considered a lawful prize. Lord Stowell says, "Vessels going in are, in that case, justly entitled to a notice before they can be justly liable to the consequences of breaking a blockade. But I take it to be quite otherwise with

vessels coming out of the port which is the object of the blockade; there no notice is necessary after the blockade has existed for any length of time; the continued fact is of itself a sufficient notice: it is impossible for those within to be ignorant of the forcible suspension of their commerce; the notoriety of the thing supersedes the necessity of particular notice to each ship."

Bottomry and Respondentia.

Bottomry in maritime affairs means the mortgage of a ship, her freight, and, if stipulated in the bond, her cargo. If a ship is compelled to put into an intermediate port for repairs, and the master is without funds, and is unable to obtain any, either on his own credit or that of his owners, he pledges the keel or bottom of the ship (meaning the ship with all her appurtenances), her freight, and also, if necessary, her cargo, as security for the repayment of the money advanced to him to enable him to effect the repairs necessary to his ship in order to complete her voyage.

It is customary to advertise for tenders for the amount required to pay for the repairs absolutely necessary, as the extraordinary risks incurred by those who lend money on bottomry justify them in demanding a high rate of interest or premium on their advance, and the tenders are usually opened, at a stated time, at the office of the consul.

A bottomry bond stipulates that if the ship is lost during the voyage, the lender of the money loses his advance. He therefore has to insure against this risk; but if she arrives safely at her port of destination, he recovers his principal sum and the interest or premium stipulated for.

Should the ship, in consequence of a further accident or misfortune, be compelled to put into another port, and the master be again obliged to take up money on bottomry for her repairs, the bottomry bond last given has priority over the bond first given; and this constitutes the essential difference between a bottomry bond and a mortgage.

The holder of a bottomry bond is bound to endeavour to obtain his money from the ship, before having recourse to the cargo, if the cargo has been stipulated in the bond; if not, his sole resource is the ship and freight.

Respondentia is a loan upon the cargo of a ship, and does not cover the ship and freight. The money advanced on respondentia, together with the interest or premium, is payable on the safe arrival of the cargo of a ship at its port of destination.

A bottomry or respondentia bond must be in writing, and must set forth the names of the lender and borrower, and of the ship; the sum lent, the interest or premium agreed upon, and the nature of the voyage. (*For form of bonds, see Appendix.*)

Capture.

Capture is the seizure of a ship in the time of war, which, to be complete, must be followed by a sentence of condemnation by a court of the capturing power, in conformance with the Law of Nations. The judgment on appeal in the case of the ship *Ostsee* covers many points of great importance. The *Ostsee*, sailing under the flag of Mecklenburg on a voyage from Cronstadt to Elsinore, was captured on the 1st of June, 1854, by her Majesty's ship *Alban*, and sent to London for adjudication as a prize. Upon the ship's papers, and the examination of the master, mate, and another of the crew, on the usual interrogatories, there appeared to be no ground for condemnation, and, with the consent of the captors, on the 19th of August, 1854, an interlocutory decree was pronounced, by which the ship and cargo were restored to the claimants, but without costs and damages. From so much of the decree as refused costs and damages the claimants appealed; and the Right Hon. T. P. Leigh, in delivering the judgment of the court, stated, "It is agreed on all hands that the restitution of a ship and cargo may be attended, according to the circumstances of the case, with any of the following consequences:—1. The claimants may be ordered to pay the captors their costs and expenses; or, 2. The restitution may be, as in this case, simple restitution, without costs, or expenses, or damages to either party; or, 3. The captors may

be ordered to pay costs and damages to the claimants. These provisions seem well adapted to meet the various circumstances, not ultimately affording ground of condemnation, under which capture may take place. A ship may 'by her own misconduct have occasioned her capture, and in such a case it is very reasonable that she should indemnify the captors against the expenses which her misconduct has occasioned. Or she may be involved, with little or no fault on her part, in such suspicion as to make it the right or even the duty of a belligerent to seize her. There may be no fault either in the captor or the captured, or both may be in fault; and in such cases there may be *damnum absque injuriâ*, and no ground for anything but simple restitution. Or there may be a third case, where not only the ship is in no fault, but she is not, by any act of her own, voluntary or involuntary, open to any fair ground of suspicion. In such a case a belligerent may seize at his peril, and take the chance of something appearing on investigation to justify the capture; but if he fails in such a case, it seems very fit that he should pay the costs and damages which he has occasioned. The appellants insist that the circumstances of this case bring it within the last of these rules. The general principles applicable to this point are stated with great clearness in a document of the very highest authority—the report made to King George II., in 1753, by the then judge of the Admiralty Court, and the law officers of the Crown, one of whom was

Mr. Murray (afterwards Lord Mansfield); and they are laid down in these terms :—‘ The Law of Nations allows, according to the different degrees of misbehaviour or suspicion arising from the fault of the ship taken, and other circumstances of the case, costs to be paid, or not to be received, by the claimant in case of acquittal and restitution. On the other hand, if a seizure is made without probable cause, the captor is adjudged to pay costs and damages.’

. . . The cases in the American courts fully bear out the statement of the law by Mr. Justice Story in his treatise, which is in these terms :—

‘ Every capture, whether made by commissioned or non-commissioned ships, is at the peril of the captors. If they capture property without reasonable or justifiable cause, they are liable to a suit for restitution, and may also be mulcted in costs and damages. If the vessel and cargo, or any part thereof, be good prize, they are completely justified, and although the whole property may, upon a hearing, be restored, yet, if there was probable cause of capture, they are not responsible in damages. If the capture is made without probable cause, the captors are liable for damages, costs, and expenses of the claimants.’

. . . By the usages of all countries, captors have a great interest in increasing the numbers of prizes. The temptation to send in ships for adjudication is sufficiently strong. Is it too much to say that where no ground of suspicion can be shown, and all that the captor can allege is that he did wrong under a

mistake, he should make good in temperate damages the injury which he has occasioned? Ought a captor to be permitted to say to the captured, 'True, nothing suspicious appeared in your case at the time of seizure, but upon further inquiry something might have been discovered? I had a right to take my chance; you have nothing to complain of. I subjected you to no unnecessary inconvenience; go about your business, and be thankful for your escape.' . . . Upon the whole, therefore, after the most anxious consideration, having sought in vain for any circumstances which could afford in this case (*The Ostsee*) a probable cause for capture, we cannot hold the captors exempted from all responsibility, though the damage will, in all probability, prove to be small. The amount must be referred to the registrar in the usual way. . . ."

Charter-Party.

Charter-party is the name given to an instrument in writing for the hire of a ship, entered into between the owner or the master of the ship and the hirer, or charterer. If the owner of the ship is not on the spot, the master has an implied authority to enter into such a contract. If the charter is entered into by the master, he becomes liable in the event of any default, unless, in signing, he states that he signs as agent for the owner only, in which case the owner becomes liable. No specific form is necessary;

that given in the Appendix is commonly used, and it may be varied or amended to suit the views of the contracting parties.

Concealment of Accidents.

A shipmaster should not, under any circumstances, conceal any accident which occurs to his ship, as by so doing he incurs a very grave responsibility. Should his ship touch the ground, even though it may be but slightly, he should not allow his impression that it was of no importance, or his zeal for the interest of his owner, to induce him to conceal the fact, as a subsequent disaster would, on this becoming known, probably vitiate the insurance on the ship, and cause him the loss or suspension of his certificate. It is in all cases both right and prudent to report the accident to his owner, and to cause a survey to be held on his ship. (See also "Accidents.")

Contraband of War.

Contraband of war means anything that can be used in the active prosecution of a war; but no hard and fast line has ever been drawn, though in many cases various articles have been enumerated in treaties as coming under this category. There can be no doubt that powder, explosives, arms of all kinds, naval stores, steam-engines for marine purposes, ships, parts of ships, timber or iron for

ship-building, and all articles that can be made directly available for hostile purposes, come under this classification. With regard to provisions, great doubt exists, and Lord Stowell has laid down that the character of the port to which the provisions are destined is the principal circumstance to be attended to in deciding whether they are to be looked upon as a contraband. A cargo of provisions intended for an enemy's port, in which it was known that a warlike armament was in preparation, would be liable to arrest and confiscation; while, if the same cargo was intended for a port where none but merchantmen were fitted out, the most that could be done would be to detain it, paying the neutral the same price for it he would have got from the enemy. The right of visit and search is the inherent right of all belligerents, and the object of the search is to ascertain if the ship be a neutral or an enemy's vessel, and whether there be contraband of war on board.

Damage to Cargo.

The shipowner is bound to deliver the cargo at its port of destination in the same good order and condition as it was delivered to him, unless a contract to the contrary had been entered into. It is, therefore, the duty of the master and his officers to see that it is properly cared for. If he or they neglect to do so, the owner becomes liable for all damage caused by such negligence, even though the

bills of lading contain the stipulation of "not accountable for damage." In all cases, the master must be able to prove that the stowage was good, the dunnage sufficient, and the hatches properly secured during the voyage. If, on discharging cargo at its port of destination, there be any sign of its being damaged by sea-water, or other causes proceeding directly from the *perils of the sea*, or even where there is indication of damage from bad stowage, or of the cargo having been broached, the master should cause a survey to be held, so that the cause of the damage may be stated by duly appointed surveyors.

In all cases where very bad weather has been encountered during the voyage and much water taken on deck, and the cargo of a nature to suffer damage from sea-water, it is a wise precaution on the part of the master to cause a survey to be held on hatches and stowage, as not only does it relieve the shipowner from responsibility for damage, if the hatches were properly secured and the cargo well stowed, but it is also satisfactory to the consignees and to the underwriters.

Damage to Ship.

See "Survey on Ship."

Deck Cargoes.

Section 23 of the Merchant Shipping Act, 1876, enacts : "If any ship, British or foreign, other than

home-trade ships as defined by the Merchant Shipping Act, 1855, carries as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, timber, stores, or other goods, all dues payable on the ship's tonnage shall be payable as if there were added to the ship's registered tonnage the tonnage of the space occupied by such goods at the time at which such dues become payable.

“The space so occupied shall be deemed to be the space limited by the area occupied by the goods, and by straight lines inclosing a rectangular space sufficient to include the goods.

“The tonnage of such space shall be ascertained by an officer of the Board of Trade or of Customs, in manner directed by sub-section 4 of s. 21 of the Merchant Shipping Act, 1854, and when so ascertained shall be entered by him in the ship's official log-book, and also in a memorandum which he shall deliver to the master; and the master shall, when the said dues are demanded, produce such memorandum in like manner as if it were the certificate of registry, or, in the case of a foreign ship, the document equivalent to a certificate of registry, and in default shall be liable to the same penalty as if he had failed to produce the said certificate or document.”

Section 24: “After the 1st day of November, 1876, if a ship, British or foreign, arrives between the last day of October and the 16th day of April in

any year at any port in the United Kingdom, from any port out of the United Kingdom, carrying as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, any wood goods coming within the following descriptions; that is to say:—

- (a) Any square, round, waney, or other timber, or any pitch pine, mahogany, oak, teak, or other heavy wood goods whatever; or—
- (b) Any more than five spare spars or store spars, whether or not made, dressed, and finally prepared for use; or—
- (c) Any deals, battens, or other light wood goods of any description to a height exceeding three feet above the deck;

the master of the ship, and also the owner, if he is privy to the offence, shall be liable to a penalty not exceeding £5 for every hundred cubic feet of wood goods carried in contravention of this section, and such penalty may be recovered by action or on indictment, or to an amount not exceeding £100 (whatever may be the maximum penalty recoverable) on summary conviction.

“Provided that a master or owner shall not be liable to any penalty under this section:—

- (1) In respect of any wood goods which the master has considered it necessary to place or keep on deck during the voyage, on account of the springing of any leak, or of

any other damage to the ship received or apprehended; or—

- (2) If he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the last day of October as allowed a sufficient interval, according to the ordinary duration of the voyage, for the ship to arrive before that day at the said port in the United Kingdom, but was prevented from so arriving by stress of weather or circumstances beyond his control; or—
- (3) If he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the 16th day of April as allowed a reasonable interval, according to the ordinary duration of the voyage, for the ship to arrive after that day at the said port in the United Kingdom, and by reason of an exceptionally favourable voyage arrived before that day.

“Provided further, that nothing in this section shall affect any ship not bound to any port in the United Kingdom which comes into any port in the United Kingdom under stress of weather, or for repairs, or for any other purpose than the delivery of her cargo.”

Demurrage.

Demurrage means the time a vessel is detained either in loading or discharging, beyond that stipulated for in the charter-party. A certain number of days for loading and discharging, and a further number of days, at a certain rate per day, as demurrage, usually form stipulations in a charter; but should they have been omitted, either from inadvertence or other causes, the charterer is bound to load the ship, and to receive the cargo at its destination, within a *reasonable time*. The *custom of the port* usually rules in such cases. Demurrage can only be claimed for overtime at the port of loading or the port of discharge, and not for time lost or detention at an intermediate port, should the vessel be compelled to put in either for safety or repairs.

All claims for demurrage at a foreign port should, if possible, be settled by the master on the spot, so as to avoid the possibility of costly litigation at home.

Dereelicts.

The word derelict means forsaken, abandoned, and in law the term means an abandonment at sea, by a captain and crew, without hope of recovery. A mere quitting of the vessel, for the purpose of procuring assistance from the shore, or with an intention of returning to her again, is not an abandonment. A ship and cargo found on the high seas abandoned

by her captain and crew, or goods found floating about without any indication as to whom they belong, are derelicts, and belong to the Crown. "The Lord High Admiral has the custody of derelicts found at sea; if no owner appears, they become perquisites of the Admiralty, the finder having no property in them, only being entitled to a reward for his trouble in preserving them. If no owner appears, or if the claimant cannot prove his property, the salvors have not acquired any right in the thing found, but they must be satisfied for their expenses and trouble from a sale of the ship and cargo" (*Sir W. Scott in the case of "The Aquila"*).

Deviation from Voyage.

Deviation from voyage is the proceeding to another port or ports out of the direct course, unless compelled to do so for some necessary repairs to the ship, to obtain provisions, or for some other lawful cause justifiable by usage in the prosecution of the voyage the ship has to perform. A *wilful deviation* from voyage would vitiate the insurance of the ship and cargo, and render the owner of the ship liable to the consignee of the cargo for the loss of the goods in consequence of such deviation. The owner of the ship would also be liable to the consignee of the cargo delivered after such a deviation, for all damages sustained, either by deterioration or fall in market value of the goods, in consequence of their

detention. Such damages, however, could not be deducted from the freight, but would be recoverable against the owner of the ship by an action at law.

Flotsam, Jetsam, and Lagan.

Flotsam, jetsam, and lagan are terms used in maritime affairs to denote and classify goods wrecked at sea. *Flotsam* applies to goods that remain on the surface of the water; *jetsam* to those that sink under the water and there remain; *lagan* to those which may be sunk, and to which a cork or buoy has been attached so that they may be recovered again.

Cargo voluntarily thrown overboard in the face of a maritime peril, and to avert a danger common to the ship and the rest of the cargo, is *jettisoned* for the benefit of all concerned, and becomes the subject of a general average contribution, all the parties interested contributing to make it good. (See "General Average.")

Freight.

See "Payment of Freight."

Grain Cargoes.

"No cargo of which more than one-third consists of any kind of grain, corn, rice, paddy, pulse, seeds, nuts, or nut kernels, hereinafter referred to as 'grain cargo,' shall be carried on board any British

ship, unless such grain cargo be contained in bags, sacks, or barrels, or secured from shifting by boards, bulkheads, or otherwise.

“ If the managing owner or master of any British ship, or any agent of such owner who is charged with the loading of the ship or the sending her to sea, knowingly allows any grain cargo or part of a grain cargo to be shipped therein for carriage contrary to the provisions of this section, he shall, for every such offence, incur a penalty not exceeding £300, to be recovered upon summary conviction ” (s. 22, Merchant Shipping Act, 1876).

High Seas.

“ Crimes committed on the high seas on board any British ship shall be heard, tried, determined, and adjudged as though committed within the jurisdiction of the Admiralty of England ” (s. 267, Merchant Shipping Act, 1854).

Jettison.

See “ Flotsam, Jetsam, and Lagan.”

Lien on Cargo.

The master of a ship has the right, on behalf of his owners, to retain possession of the cargo until the freight is paid, if the freight was payable on delivery ; if by cash, till the cash is paid ; if by bill,

till the bill is given. The master can detain *part* of the cargo till the freight has been paid on the whole that may be consigned to the same firm or person. If there be short delivery, the master still retains his lien until the freight is paid on the quantity delivered. The master has also a lien on the cargo for a general average contribution; but, unless stipulated for by the charter-party, he has no lien for demurrage.

Lien on Ship.

Seamen have a lien on a ship for their wages, and such claims take priority over all others. Claims for towage, pilotage, salvage, and for money advanced on bottomry, have a lien on a ship.

Bottomry has precedence over a prior salvage, but not over a subsequent salvage.

Manifest.

A manifest, in commerce, means a document containing a description of the cargo of a ship, and the name or names of the person or persons to whom it is consigned. The numbers, marks, and quantities should be accurately described, as in many countries, especially in Spain, Brazil, and the South American Republics, much inconvenience is experienced by masters, and heavy penalties frequently inflicted where errors in manifest have occurred.

The master, before sailing from his port of loading, should ascertain the custom of the country

to which he is bound, as, in some cases, it is necessary to obtain a certificate to his manifest from the consul of that country at his port of loading ; failing which, penalties are inflicted.

The manifest should be made out, dated, and signed by the master at the port where the cargo is received.

Marine Insurance.

Marine insurance is effected by the payment to the underwriters at Lloyd's, a marine insurance company, or an insurance club, of a certain sum as premium on the amount insured, upon which a policy of insurance is issued. This instrument, to be valid, must be properly stamped before it is signed ; the amount of premium and the sum insured must be stated, the risk insured and the nature of the voyage described, and the names of the parties to the instrument set forth.

A valid insurance cannot be effected unless the party insuring has an insurable interest in the ship or merchandise, as the case may be, at the time the insurance is effected.

The form of a policy of marine insurance now in use will be found in the Appendix. The risks insured against are usually described as follows :—
“Touching the adventure and perils which we, the assurers, are contented to bear and do take upon this voyage, they are—of the seas, men-of-war, fire,

enemies, pirates, rovers, thieves, jettisons, letters of mart and of countermart, surprisals, takings at sea, arrests, restraints, and detainments of all kings, princes, and people, of what nation, condition, or quality soever, barratry of the masters and mariners, and of all other perils, losses, and misfortunes that have or shall come to the hurt, detriment, or damage of the said goods and merchandises and ship, etc., or any part thereof; offences against the revenue of the United Kingdom of Great Britain or Ireland excepted."

The perils of the sea include damage to goods by sea-water.

Loss by thieves means robbery by violence, and does not cover any loss by theft committed by the stevedores, sailors, or passengers of a ship.

General average contribution is covered by the policy of insurance, as is also loss by salvage.

In case of total loss under a policy in which the value of the goods insured has been declared, the value so stated is recoverable, unless fraud can be proved, or the value declared be so excessive as to indicate a fraudulent intention.

In an *open policy* the value of the goods, ship, or freight, as the case may be, is not stated, and in the event of a total loss the party insured has to prove the value of the loss he claims. If goods, the invoice cost, including commission, insurance, and the expenses of shipping. If a ship, the value of the ship at the commencement of the voyage during which

she was lost, and the premium paid for insurance. If the freight, the gross amount of freight the ship would have earned had she arrived at her port of destination, and the sum paid for insurance.

In cases of *partial loss* there is no difference between an open or a valued policy.

In cases of *average loss*, under a valued policy, the percentage of loss on the declared value of the thing insured would, when ascertained, be the amount recoverable.

No claim for partial loss can be made unless the amount is equal to three per cent. of the amount insured, and in cases of certain goods (usually specified in the policy) the percentage of loss must be still higher to give title to a claim.*

Muster Roll.

A muster roll is a document showing the number of a ship's crew, their names, and the offices they fill. In many countries the master is required to deliver to the local authorities a muster roll within twenty-four or forty-eight hours of his arrival, and in most cases the consul's certificate is required, showing that it is correct.

*. These are but brief outlines of an important subject upon which many excellent works have been written, notably that known as Lee's "Laws of Shipping and Insurance," of which a revised edition, by J. C. Bigham, was published in 1877.

Oaths.

A consul can administer oaths and take affidavits in all necessary cases, and they will be binding if administered in such form and with such ceremony as the persons swearing may declare to be binding.

The Act 5 & 6 Will. IV. c. 62 provides for the suppression of voluntary and extrajudicial oaths and affidavits taken and made in various departments of the State, and to substitute declarations in lieu thereof. Where the party makes a solemn declaration, instead of an oath, the foregoing Act must be cited. (*For form of declaration, see Appendix.*)

Official Log-books.

The Official log is the record, kept by the master, of all occurrences during the voyage which come within the enactments of the Merchant Shipping Acts. The book, which contains all the necessary forms and directions, is supplied gratis by the Board of Trade, or by any of her Majesty's consuls abroad; but, notwithstanding the penalties which shipmasters render themselves liable to, cases have frequently occurred where months have elapsed from the commencement of a voyage, and the master has failed to make an entry which should have been done within twenty-four hours of its commencement. It cannot be too strongly impressed on the shipmaster that the

official log-book, if properly kept, is a witness in his favour, and it is his imperative duty, both for his own protection and that of the interests of the owner of the ship, that there should be no failure in this respect.

The following are the Board of Trade directions with reference to official log-books :—

1. “Masters of all British merchant ships (except ships employed exclusively in trading between ports on the coasts of the United Kingdom) are bound by the Merchant Shipping Act, 1854, s. 280, to keep an official log-book in the form sanctioned by the Board of Trade ; and such official log-book may, at the discretion of the master or owner of any ship, either be kept distinct from the ordinary ship’s log, or be united therewith, provided all the blanks in the official log-book are duly filled up.”

2. “*The importance of keeping this book properly, and duly making all the entries at the proper time, and with the strictest regard to form, cannot be too strongly impressed on shipmasters.* By neglecting to do so, they subject themselves to heavy penalties, and their owners to serious loss and inconvenience, and they prevent discipline from being maintained, as no fine or forfeiture can be deducted, and no punishment inflicted for any offence, unless the entries are properly made and attested.”

The following are the provisions of the Act which relate to official log-books :—

3. “Every entry in every official log shall be made

as soon as possible after the occurrence to which it relates, and if not made on the same day as the occurrence to which it relates, shall be made and dated so as to show the date of the occurrence, and of the entry respecting it; and in no case shall any entry therein in respect of any occurrence happening previously to the arrival of the ship at her final port of discharge be made more than twenty-four hours after such arrival.

4. "Every master of a ship for which an official log-book is hereby required shall make or cause to be made therein entries of the following matters; that is to say :—

- (1) Every legal conviction of any member of his crew, and the punishment inflicted;
- (2) Every offence committed by any member of his crew for which it is intended to prosecute, or to enforce a forfeiture, or to exact a fine, together with such statement concerning the reading over such entry, and concerning the reply (if any) made to the charge, as hereinbefore required;
- (3) Every offence for which punishment is inflicted on board, and the punishment inflicted;
- (4) A statement of the conduct, character, and qualifications of each of his crew, or a statement that he declines to give an opinion on such particulars;
- (5) Every case of illness or injury happening to

any member of the crew, with the nature thereof, and the medical treatment adopted (if any) ;

- (6) Every case of death happening on board, and of the cause thereof ;
- (7) Every birth happening on board, with the sex of the infant and the names of the parents ;
- (8) Every marriage taking place on board, with the names and ages of the parties ;
- (9) The name of every seaman or apprentice who ceases to be a member of the crew, otherwise than by death, with the place, time, manner, and cause thereof ;
- (10) The amount of wages due to any seaman who enters her Majesty's service during the voyage ;
- (11) The wages due to any seaman or apprentice who dies during the voyage, and the gross amount of all deductions to be made therefrom ;
- (12) The sale of the effects of any seaman or apprentice who dies during the voyage, including a statement of each article sold, and of the sum received for it ;
- (13) Every collision with any other ship, and the circumstances under which the same occurred ;
- (14) Every case of neglect or refusal to take the lime or lemon juice or anti-scorbutics."

5. "The entries hereby required to be made in official log-books shall be signed as follows ; that is to say, every such entry shall be signed by the master and by the mate, or some other of the crew ; and every entry of neglect or refusal to take the lime or lemon juice or anti-scorbutics, illness, injury, or death shall be also signed by the surgeon or medical practitioner on board (if any) ; and every entry of wages due to, or of the sale of the effects of, any seaman or apprentice who dies, shall be signed by the master and by the mate and some other member of the crew ; and every entry of wages due to any seaman who enters her Majesty's service shall be signed by the master and by the seaman, or by the officer authorized to receive the seaman into such service."

6. "The following offences in respect of official log-books shall be punishable as hereinafter mentioned ; that is to say :—

- (1) If in any case an official log-book is not kept in the manner hereby required, or if any entry here directed to be made in any such log-book is not made at the time and in the manner hereby directed, the master shall, for each such offence, incur the specific penalty herein mentioned in respect thereof, or where there is no such specific penalty, a penalty not exceeding £5 ;
- (2) Every person who makes, or procures to be made, or assists in making, any entry in

any official log-book, in respect of any occurrence happening previously to the arrival of the ship at her final port of discharge, more than twenty-four hours after such arrival, shall, for each such offence, incur a penalty not exceeding £30 ;

- (3) Every person who wilfully destroys or mutilates, or renders illegible any entry in, any official log-book, or who wilfully makes, or procures to be made, or assists in making, any false or fraudulent entry or omission in any such log-book, shall, for each such offence, be deemed guilty of a misdemeanour."

7. "All entries made in any official log-book as hereinbefore directed shall be received in evidence in any proceedings in any court of justice, subject to all just exceptions."

8. "Whenever any seaman who has been lawfully engaged, or any apprentice to the sea service, commits any of the following offences, he shall be liable to be punished summarily as follows; that is to say :—

- (1) For desertion he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labour, and also to forfeit all or any part of the clothes and effects he leaves on board, and all or any part of the wages or emoluments

which he has then earned, and also, if such desertion takes place abroad, at the discretion of the court, to forfeit all or any part of the wages or emoluments he may earn in any other ship in which he may be employed until his next return to the United Kingdom, and to satisfy any excess of wages paid by the master or owner of the ship from which he deserts to any substitute engaged in his place at a higher rate of wages than the rate stipulated to be paid to him ;

- (2) For neglecting or refusing, without reasonable cause, to join his ship, or to proceed to sea in his ship, or for absence without leave at any time within twenty-four hours of the ship's sailing from any port, either at the commencement or during the progress of any voyage, or for absence at any time without leave and without sufficient reason from his ship or from his duty, not amounting to desertion or not treated as such by the master, he shall be liable to imprisonment for any period not exceeding ten weeks, with or without hard labour, and also, at the discretion of the court, to forfeit out of his wages a sum not exceeding the amount of two days pay, and in addition, for every twenty-four hours of absence, either a sum not exceed-

ing six days' pay, or any expenses which have been properly incurred in hiring a substitute;

- (3) For quitting the ship without leave, after her arrival at her port of delivery and before she is placed in security, he shall be liable to forfeit out of his wages a sum not exceeding one month's pay;
- (4) For wilful disobedience to any lawful command he shall be liable to imprisonment for any period not exceeding four weeks, with or without hard labour, and also, at the discretion of the court, to forfeit out of his wages a sum not exceeding two days' pay;
- (5) For continued wilful disobedience to lawful commands, or continued wilful neglect of duty, he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labour, and also, at the discretion of the court, to forfeit, for every twenty-four hours' continuance of such disobedience or neglect, either a sum not exceeding six days' pay, or any expenses which have been properly incurred in hiring a substitute;
- (6) For assaulting any master or mate he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labour;

- (7) For combining with any other or others of the crew to disobey lawful commands, or to neglect duty, or to impede the navigation of the ship or the progress of the voyage, he shall be liable to imprisonment for any period not exceeding twelve weeks, with or without hard labour ;
- (8) For wilfully damaging the ship, or embezzling or wilfully damaging any of her stores or cargo, he shall be liable to forfeit out of his wage a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, to imprisonment for any period not exceeding twelve weeks, with or without hard labour ;
- (9) For any act of smuggling of which he is convicted, and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay to such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or a proportionate part of his wages may be retained in satisfaction or on account of such liability, without prejudice to any further remedy."

9. " Upon the commission of any of the offences enumerated in the last preceding section, an entry thereof shall be made in the official log-book, and shall be signed by the master, and also by the mate

or one of the crew; and the offender, if still in the ship, shall, before the next subsequent arrival of the ship at any port, or if she is at the time in port, before her departure therefrom, either be furnished with a copy of such entry, or have the same read over distinctly and audibly to him, and may thereupon make such reply thereto as he thinks fit; and a statement that a copy of the said entry has been so furnished, or that the same has been so read over as aforesaid, and the reply (if any) made by the offender, shall likewise be entered and signed in manner aforesaid; and in any subsequent legal proceedings the entries hereinbefore required shall, if practicable, be produced or proved, and in default of such production or proof the court hearing the case may, at its discretion, refuse to receive evidence of the offence."

10. "If any seaman commits any act of misconduct for which, under the stipulations in his agreement, he has subjected himself to a fine, and if it is intended to enforce a fine, an entry thereof shall be made in the official log-book; and a copy of such entry shall be furnished, or the same shall be read over, to the offender, and an entry of such reading over, and of the reply (if any) by the offender, shall be made in the same manner."

11. "All orders made by any naval court shall, whenever practicable, be entered in the official log-book of the ship to which the parties to the proceedings before it belong, and shall be signed by the president of the court."

12. "Whenever a survey of provisions or water is made by the direction of any naval or consular officer, or of any shipping master or chief officer of customs, a statement of the result of the examination shall be entered in the official log."

13. "In the case of foreign-going ships, the master shall, within forty-eight hours after the ship's arrival at her final port of destination in the United Kingdom, or upon the discharge of the crew, *whichever first happens*, deliver to the shipping master before whom the crew is discharged the *official log-book of the voyage*; and the master or owner of every home-trade ship (not exclusively employed in trading between ports on the coasts of the United Kingdom) shall, within twenty-one days after the 30th day of June and the 31st day of December in every year, transmit or deliver to some shipping master in the United Kingdom the *official log-book for the preceding half-year*; and every master or owner who refuses or neglects to deliver his official log-book as required shall incur a penalty not exceeding £5, besides subjecting his vessel to detention, by stopping her clearance."

14. "If any ship ceases, by reason of transfer of ownership or change of employment, to fall within the definition of a foreign-going or of a home-trade ship, the master or owner shall, if such ship is then in the United Kingdom, within one month, and if she is elsewhere, within six months, deliver or transmit to the shipping master at the port to which

the ship belonged the official log-book (if any) duly made out to the time at which she ceased to be a foreign-going or home-trade ship, and, in default, for each offence he shall incur *a penalty not exceeding £10*; and if any ship is lost or abandoned, the master or owner shall, if practicable and as soon as possible, deliver or transmit to the shipping master at the port to which the ship belonged the official log-book (if any) duly made out to the time of such loss or abandonment, and, in default, for each offence he shall incur *a penalty not exceeding £10*."

15. "The master, owner, or any of the crew of any British ship, if called upon, shall produce the official log-book to any officer of the Board of Trade, or any commissioned officer of any of her Majesty's ships on full pay, or any British consular officer, or the Registrar-General of Seamen and his assistant, or any chief officer of customs in any place in her Majesty's dominions, or any shipping master, in cases where any such officer or person has reason to suspect that the provisions of the Act, or the laws for the time being relating to merchant seamen and to navigation, have not been complied with; and any such officer or persons may take copies of official log-books or documents, or of any part thereof, and may summon the master to appear and give any explanation concerning his ship or her crew, or the official log-books or documents."

16. "If, during the progress of a voyage, the master is superseded, or for any other reason quits

the ship, and is succeeded in the command by some other person, he shall deliver to his successor the various documents relating to the navigation of the ship and to the crew thereof which are in his custody, and shall, in default, incur *a penalty not exceeding* £100; and such successor shall, immediately on assuming the command of the ship, enter in the official log-book a list of the documents so delivered to him.

Payment of Freight.

No freight is due and payable until the voyage is completed, unless the charter-party stipulates for the payment in advance of a part or the whole freight.

If, under the charter-party, a part of the freight is paid in advance, the money so advanced cannot be recovered from the shipowner should the ship be lost on the voyage, unless such loss was occasioned by the default or negligence of the captain. Money advanced to pay the necessary disbursements of the ship (if there was no stipulation in the charter-party for the payment of part of the freight in advance) can be recovered from the shipowner if the ship is lost during the voyage. If the charter-party stipulates that a part or the whole freight is to be paid at a certain date after the sailing of the ship, and the ship is lost before the expiration of that date, the shipowner can still recover the amount agreed upon from the charterer.

The charterer is not released from liability for freight, unless there is a stipulation to this effect in the charter-party, and the consignee of the cargo failing to pay, the shipowner can claim from, and sue, either the charterer of the ship or the consignee of the cargo; but if the consignee is not the owner of the cargo, and receives it as agent only for another person, he is not liable for the freight.

The freight receivable is on the quantity delivered. Should any increase in weight or bulk occur during the voyage, through heating or other causes, freight can only be recovered on the quantity or weight shipped. In the event of any decrease, then only on the quantity delivered.

If a *lump sum* for freight has been agreed upon, and but part of the cargo is delivered, freight can only be claimed, *pro rata*, upon the quantity delivered, unless the deficiency had been lawfully jettisoned.

In the event of any deficiency in the weight of a cargo not liable to decrease in weight, the captain must show that such deficiency was not caused by his default or neglect, or the shipowner is responsible for the decreased quantity. But the consignee cannot make any deduction from the freight for the short delivery; his remedy is by a suit against the shipowner.

If the cargo, on its arrival at the port of delivery, is so much damaged as to be worth less than the freight, the consignee cannot abandon the cargo to the shipowner and thus avoid the payment of the freight.

If the charterer binds himself to furnish a full and complete cargo, and fails to do so, he is still liable to the shipowner for the freight of such a full and complete cargo, to be calculated upon the quantity or weight the ship could safely carry, or may have carried on a previous voyage.

If the amount of freight stated in the bills of lading is less than that named in the charter-party, the captain can only claim from the consignee of the cargo the amount stated in the bills of lading. The balance can be recovered from the charterer; but if the charterer is himself the owner of the cargo, the shipowner would then have his lien on the cargo for the freight stipulated in the charter-party.

If a ship is sold during a voyage, the owner of the ship at the time the voyage is completed is entitled to the freight upon any cargo the vessel may have carried during such voyage. (See also "Lien on Cargo.")

Protest (Note of).

A note of protest is a declaration by the captain of his intention to protest, should circumstances render it necessary, and it is most important that this matter should be timely attended to.

Whenever any accident or damage to a ship occurs, or any apprehended damage to the cargo, it is the duty of the captain to note his protest on his arrival at the first port thereafter, even though it

may not be the port of destination of the cargo. This should be done at the earliest possible moment, as, although there is no statutory limitation as to time, it is customary to do so within twenty-four hours of the ship's arrival in port, and, in the event of his failing to do so, it would be a question for a court to determine as to the validity of a note of protest made after that time. This formality should, in every case, be adopted by the captain of a ship carrying cargo liable to damage, even though none may be apprehended, as by so doing he relieves the shipowner from the responsibility which would rest with him, should the cargo be found damaged on its delivery. It must be borne in mind that a protest cannot be extended unless a note of protest has been duly entered.

These remarks apply to foreign ports. The note of protest should be made before the consul of the vessel's nationality; and in places where there is no such consular officer, before a local notary public. (*For form of note of protest, see Appendix.*)

Protest (Extended).

An extended protest is the sequel to the note of protest. In the latter instrument the captain declares his intention to protest, should occasion arise, and circumstances having arisen to render this measure necessary, he extends his protest in justification of the owner of the ship and himself, and pleads

the saving clauses which all bills of lading contain, namely, the "act of God" and "perils of the sea and navigation."

An extended protest is a most important instrument. It embodies the details of that portion of the voyage to which the accident, loss, or damage is attributable; and, in addition to the record of the circumstances which the log-book may set forth, the consul or notary public, before whom the protest is made, elicits such information from the captain and other members of the crew as will serve to show whether the accident, loss, or damage sustained really comes within the saving clauses of the bills of lading, thereby relieving the shipowner from all responsibility, or was brought about by such default, or negligence, on the part of the captain as would render the shipowner liable in case of any damage to cargo, or release the underwriters in case of loss or damage to the ship.

The protest when drawn is read over to the captain, mate, and at least one other member of the crew, who severally make oath or solemnly declare to the truth of its contents before signing it. (*Form of ship's protest, see Appendix.*)

Protests (General).

Occasion frequently arises when the captain of a vessel is compelled, in the interest of the owner of his ship, to protest against the charterer or con-

signee, for the non-payment of demurrage, or for neglect or delay in providing a cargo, or for other causes, in violation of the stipulations of the charter-party; and, on the other hand, the charterer, consignee, or shipper of goods may have occasion to protest against the captain for his refusal to sign bills of lading in the customary form, or for neglecting to proceed to sea in due course after signing bills of lading, or for other causes. (*For forms of these protests, see Appendix.*)

Quarantine.

Quarantine is a regulation which interdicts all communication with persons or ships arriving from ports or places suspected of or infected with the plague, yellow fever, cholera, or other contagious diseases, for such a time as may be ordered by the competent authorities of the country. The term is derived from the Italian *quaranta* (*forty*), from the supposition that if no infectious disease broke out within forty days from the departure of a ship from a suspected or infected port, there was no danger from contagion; but this belief has been found to be fallacious.

In some countries, notably in Portugal, Spain, Italy, and the Argentine Republic, the quarantine regulations are very strict. It applies not only to the passengers and crew of a ship, but to the cargo also.

The object of quarantine is essentially precautionary, and every Government has the undoubted right, in the interests of its subjects, to take such measures for the prevention of contagion as it may deem right and proper. In some countries, perhaps, the quarantine regulations are needlessly rigid, but as a general rule there is rather a want of precaution than a rigorous enforcement of quarantine regulations.

At ports where there are lazarettos, as at Lisbon, Marseilles, Genoa, etc., the passengers pass their term of quarantine there, and the cargo, if any, is also landed there, and the vessel proceeds on her intended voyage, should the voyage not end there.

In some countries passengers arriving from *suspected* ports are not subject to quarantine, either on board or in the lazaretto, but are permitted to land after their personal baggage has undergone a process of fumigation or disinfection which frequently results in a most disastrous destruction, especially in the case of ladies' baggage.

With regard to cholera, an Order in Council, dated the 5th of August, 1871, directs that ships, on board of which any person has been attacked by cholera during the voyage, shall not enter any port or place in the United Kingdom until the clothes and bedding of such persons shall have been destroyed. Shipmasters should understand this obligation, and the further obligation of disinfecting the berths of cholera patients and all things, besides clothes and bedding, likely to carry infection.

All cases of cholera should be entered in the official log, and a list of all articles destroyed.

In the case of seamen dying of cholera at a foreign port, the consul will give directions for the destruction of the clothing, etc., of the deceased, which should never be sent to the United Kingdom.

Respondentia.

For respondentia, see “Bottomry and Respondentia.”

Sale of Damaged Cargo.

If, by reason of damage to his ship, the master is compelled to put into an intermediate port for repairs, and finds that a part or the whole of his cargo is so much damaged by sea-water, or other causes, that to carry it further would render it completely valueless, he is, after a survey and report to this effect from duly appointed surveyors, justified in selling it. Or should such a portion of the cargo be damaged as would, from its nature, render it liable to heat and ignite, and so place the rest of the cargo and ship in danger, he would be, after a proper survey, justified in selling it or ordering it to be sold. The master must, however, bear in mind that a grave responsibility rests with him in cases of this character, and he must act with the greatest prudence and circumspection, as not only does he fail to comply with the stipulations of the

charter-party or bills of lading, as the case may be, in not carrying the goods to their final destination, but he also, by the sale of any part of his cargo at a port short of its destination, loses for his owner the freight on such cargo sold, unless the freight has been previously insured. In all cases of this character the master must act for the interests of all concerned; and in distant foreign ports, where he cannot communicate with his owner or the shippers of the cargo, he should use the utmost caution, and seek the best advice, before selling any portion of his cargo.

Salvage.

Salvage means compensation to those who by their exertions save, or contribute in saving, a ship or cargo from the dangers of the seas, fire, or enemies. The master or crew of the ship, no matter how great may have been their exertions, are not entitled to salvage, as they only perform their duty, however meritorious.

In cases of salvage on the high seas, or within high and low water mark, the Admiralty courts have jurisdiction, and, failing an amicable understanding between the parties interested, will, on a suit, decide the amount to be paid to the salvors as remuneration, after taking into consideration the circumstances connected with the salvage.

Salvage in respect to the preservation of the life or lives of any person or persons belonging to a ship

stranded, or otherwise in distress, on the shore of any sea or tidal water situate within the limits of the United Kingdom, has priority over all other claims for salvage; and in cases where the ship is destroyed, or the value insufficient, after the payment of the actual expenses incurred, to pay the amount of salvage due in respect to any life or lives, the Board of Trade can, at its discretion, award to the salvors, out of the Mercantile Marine Fund, such sum or sums as it may deem fit.

Salvage by her Majesty's ships has been treated of in Part V. of this book. (*For forms of salvage bond, see Appendix.*)

Stoppage in Transitu.

Stoppage *in transitu* means the stoppage, or arrest of goods after they have left the possession of the consignor, before they have reached the hands of the consignee.

If the consignee obtained the goods on credit, and became insolvent or bankrupt before they came into his possession, the consignor could then stop their delivery, and recover them, unless the consignee had previously sold them to a third party, who had paid for them without any suspicion of the transaction being tainted by fraud, or unless the consignee had endorsed the bill of lading, for valuable consideration, to a third person acting in good faith. Even if part payment had been made on the goods, or a bill of exchange given for the

whole, the consignor could still exercise his right to stop them *in transitu*.

The consignor of the goods, or his duly appointed agent, must give notice to the owner or master of the ship conveying them, or to the person in whose possession they are *before reaching the hands of the consignee*, not to deliver them; and on proving his claim the goods must be redelivered to him, though the holder may claim, before such redelivery, an indemnity against any proceedings on the part of the consignee, his assigns or trustees.

In a case of “stoppage *in transitu*” tried before Lords Justices James, Brett, and Cotton, in the Court of Appeal, on the 20th of February, 1879, Lord Justice James stated that, in the unanimous opinion of his brethren and himself, the following was the correct proposition of law:—“Where goods are placed in possession of a carrier to be carried for the vendor, to be delivered to the purchaser, the *transitus* is not at an end so long as the carrier continues to hold the goods as carrier, and is not at an end until the carrier, by agreement between himself and the consignor, agrees to hold for the consignee, not as carrier, but as his agent.”

Survey on Ship.

The shipmaster, in all cases, should, on his arrival in port after having met with an accident or damage to his ship on the voyage, call for a survey before

proceeding with the necessary repairs. If there is a consular officer at the port, he should apply to him for an order of survey, as it is more satisfactory to the underwriters, and to all concerned, that the consul should appoint the surveyors, who should be competent and disinterested persons. On receiving the report and recommendation of the surveyors, the master should proceed to carry out their recommendation, unless such recommendation should appear to him to be so wholly unnecessary as to justify him in calling for a further survey.

In every case where a vessel has touched ground, even though it may be but slightly, and the vessel show no signs of strain or damage, the master should still, on the first opportunity, call for a survey, as if he fails to do so, and takes in another cargo and it becomes damaged on the voyage, the owner of the ship would be liable, and, in the event of the loss of the ship and the circumstances becoming known, it is more than probable that the insurance on the ship would be void, as it would raise the question as to her seaworthiness at the time of her new departure, and the presumption would be that she was not seaworthy, and, therefore, the insurance would be void. (*For form of order of survey and extended survey, see Appendix.*)

The Act of God excepted.

“The act of God, restraint of princes and rulers, fire, pirates, enemies, and all and every other dangers .

and accidents of the seas, rivers, and navigation excepted," is a clause invariably inserted in bills of lading. They are the exceptions which relieve the shipowner from direct responsibility for damage to, or non-delivery of, cargo at its place of destination.

The act of God refers to such natural causes as storms, tempests, earthquakes, thunder, lightning, etc., as distinguished from accidents or loss caused by neglect, carelessness, or default on the part of the master of a ship or his crew.

Transhipment of Cargo.

The master's power to raise the money necessary to repair and refit his ship in a port of distress, on the security of the ship and freight and of the cargo, has been stated under the head of "Bottomry and Respondentia;" if, however, the ship is not reparable, or the money for the necessary repairs is not obtainable, then the cargo may be transhipped, if the master has the means of doing so, or he may sell as much of the cargo as will defray the expenses thus necessarily incurred; but the master is bound, if it be possible, to send the cargo to the destination for which he signed bills of lading.

Lord Ellenborough decided that, "If the ship be disabled from completing her voyage, the shipowner may still entitle himself to the whole freight, by forwarding the goods, by some other means, to the place of destination."

Unseaworthy Ships.

The following sections of the Merchant Shipping Act, 1876, refer to unseaworthy ships :—

Section 4. “Every person who sends or attempts to send, or is party to sending or attempting to send, a British ship to sea in such unseaworthy state that the life of any person is likely to be thereby endangered, shall be guilty of a misdemeanour, unless he proves that he used all reasonable means to insure her being sent to sea in a seaworthy state, or that her going to sea in such unseaworthy state was, under the circumstances, reasonable and justifiable; and for the purpose of giving such proof he may give evidence in the same manner as any other witness.

“Every master of a British ship who knowingly takes the same to sea in such unseaworthy state that the life of any person is likely to be thereby endangered shall be guilty of a misdemeanour, unless he proves that her going to sea in such unseaworthy state was, under the circumstances, reasonable and justifiable; and for the purpose of giving such proof he may give evidence in the same manner as any other witness.

“A prosecution under this section shall not be instituted except by or with the consent of the Board of Trade, or of the governor of the British possession in which such prosecution takes place.

“A misdemeanour under this section shall not be punishable upon summary conviction.

“5. In every contract of service, express or implied, between the owner of a ship and the master or any seaman thereof, and in every instrument of apprenticeship whereby any person is bound to serve as an apprentice on board any ship, there shall be implied, notwithstanding any agreement to the contrary, an obligation on the owner of the ship, that the owner of the ship, and the master, and every agent charged with the loading of the ship, or the preparing thereof for sea, or the sending thereof to sea, shall use all reasonable means to insure the seaworthiness of the ship for the voyage at the time when the voyage commences, and to keep her in a seaworthy condition for the voyage during the same: provided that nothing in this section shall subject the owner of a ship to any liability by reason of the ship being sent to sea in an unseaworthy state where, owing to special circumstances, the so sending thereof to sea is reasonable and justifiable.

“6. Where a British ship, being in any port of the United Kingdom, is, by reason of the defective condition of her hull, equipments, or machinery, or by reason of overloading or improper loading, unfit to proceed to sea without serious danger to human life, having regard to the nature of the service for which she is intended, any such ship (hereinafter referred to as ‘unsafe’) may be provisionally detained for the purpose of being surveyed, and either finally detained or released, as follows:—

- (1) The Board of Trade, if they have reason to believe, on complaint or otherwise, that a British ship is unsafe, may provisionally order the detention of the ship for the purpose of being surveyed.
- (2) Where a ship has been provisionally detained, there shall be forthwith served on the master of the ship a written statement of the grounds of her detention; and the Board of Trade may, if they think fit, appoint some competent person or persons to survey the ship, and report thereon to the Board.
- (3) The Board of Trade, on receiving the report, may either order the ship to be released, or, if in their opinion the ship is unsafe, may order her to be finally detained, either absolutely, or until the performance of such conditions with respect to the execution of repairs or alterations, or the unloading or reloading of cargo, as the Board think necessary for the protection of human life, and may from time to time vary or add to any such order.
- (4) Before the order for final detention is made, a copy of the report shall be served upon the master of the ship, and within seven days after such service the owner or master of the ship may appeal in the prescribed manner to the court of survey

(hereinafter mentioned) for the port or district where the ship is detained.

- (5) Where a ship has been provisionally detained, the owner or master of the ship, at any time before the person appointed under this section to survey the ship makes such survey, may require that he shall be accompanied by such person as the owner or master may select out of the list of assessors for the court of survey (nominated as hereinafter mentioned); and in such case, if the surveyor and assessor agree, the Board of Trade shall cause the ship to be detained or released accordingly, but if they differ, the Board of Trade may act as if the requisition had not been made, and the owner and master shall have the like appeal, touching the report of the surveyor, as is before provided by this section.
- (6) Where a ship has been provisionally detained, the Board of Trade may at any time, if they think it expedient, refer the matter to the court of survey for the port or district where the ship is detained.
- (7) The Board of Trade may at any time, if satisfied that a ship detained under this Act is not unsafe, order her to be released, either upon or without any conditions.
- (8) For the better execution of this section, the

Board of Trade, with the consent of the Treasury, may from time to time appoint a sufficient number of fit officers, and may remove any of them.

- (9) Any officer so appointed (in this Act referred to as a detaining officer) shall have the same power as the Board of Trade have under this section, of provisionally ordering the detention of a ship for the purpose of being surveyed, and of appointing a person or persons to survey her; and, if he thinks that a ship so detained by him is not unsafe, may order her to be released.
- (10) A detaining officer shall forthwith report to the Board of Trade any order made by him for the detention or release of a ship.

“7. A court of survey for a port or district shall consist of a judge sitting with two assessors.

“The judge shall be such person as may be summoned for the case, in accordance with the rules made under this Act, out of a list (from time to time approved for the port or district by one of her Majesty's principal Secretaries of State, in this Act referred to as a Secretary of State) of wreck commissioners appointed under this Act, stipendiary or metropolitan police magistrates, judges of county courts, and other fit persons; but in any special case in which the Board of Trade think it expedient to

appoint a wreck commissioner, the judge shall be such wreck commissioner.

“The assessors shall be persons of nautical, engineering, or other special skill and experience; one of them shall be appointed by the Board of Trade, either generally or in each case, and the other shall be summoned, in accordance with the rules under this Act, by the registrar of the court, out of a list of persons periodically nominated for the purpose by the local marine board of the port, or, if there is no such board, by a body of local shipowners or merchants approved for the purpose by a Secretary of State, or, if there is no such list, shall be appointed by the judge. If a Secretary of State thinks fit at any time, on the recommendation of the Government of any British possession or any foreign state, to add any person or persons to any such list, such person or persons shall, until otherwise directed by the Secretary of State, be added to such list, and, if there is no such list, shall form such list.

“The county court registrar, or such other fit person as a Secretary of State may from time to time appoint, shall be the registrar of the court, and shall, on receiving notice of an appeal or a reference from the Board of Trade, immediately summon the court in the prescribed manner to meet forthwith.

“The name of the registrar and his office, together with the rules made under this Act relating to the court of survey, shall be published in the prescribed manner.

“8. With respect to the court of survey, the following provisions shall have effect :—

- (1) The case shall be heard in open court ;
- (2) The judge and each assessor may survey the ship, and shall have, for the purposes of this Act, all the powers of an inspector appointed by the Board of Trade under the Merchant Shipping Act, 1854 ;
- (3) The judge may appoint any competent person or persons to survey the ship and report thereon to the court ;
- (4) The judge shall have the same power as the Board of Trade have to order the ship to be released or finally detained, but unless one of the assessors concurs in an order for the detention of the ship, the ship shall be released ;
- (5) The owner and master of the ship, and any person appointed by the owner or master, and also any person appointed by the Board of Trade, may attend at any inspection or survey made in pursuance of this section ;
- (6) The judge shall send to the Board of Trade the prescribed report, and each assessor shall either sign the report or report to the Board of Trade the reasons for his dissent.

“9. The Lord Chancellor of Great Britain may from time to time (with the consent of the Treasury so far as relates to fees) make, and when made

revoke, alter, and add to, general rules to carry into effect the provisions of this Act with respect to a court of survey, and in particular with respect to the summoning of and procedure before the court, the requiring, on an appeal, security for costs and damages, the amount and application of fees, and the publication of the rules.

“All such rules while in force shall have effect as if enacted in this Act, and the expression ‘prescribed’ in the provisions of this Act relating to the detention of ships or court of survey means prescribed by such rules.

“10. If it appears that there was not reasonable and probable cause, by reason of the condition of the ship, or the act or default of the owner, for the provisional detention of the ship, the Board of Trade shall be liable to pay to the owner of the ship his costs of and incidental to the detention and survey of the ship, and also compensation for any loss or damage sustained by him by reason of the detention or survey.

“If a ship is finally detained under this Act, or if it appears that a ship provisionally detained was, at the time of such detention, unsafe within the meaning of this Act, the owner of the ship shall be liable to pay to the Board of Trade their costs of and incidental to the detention and survey of the ship, and those costs shall, without prejudice to any other remedy, be recoverable as salvage is recoverable.

“ For the purposes of this Act, the costs of and incidental to any proceedings before a court of survey, and a reasonable amount in respect of the remuneration of the surveyor or officer of the Board of Trade, shall be deemed to be part of the costs of the detention and survey of the ship; and any dispute as to the amount of costs under this Act may be referred to one of the masters or registrars of the Supreme Court of Judicature, who, on request made to him for that purpose by the Board of Trade, shall ascertain and certify the proper amount of such costs.

“ Any action for costs or compensation payable by the Board of Trade under this section may be brought against the secretary thereof by his official title, as if he were a corporation sole; and if the cause of action arises in Ireland, it shall be lawful for any of the superior courts of common law in Ireland, in which such action may be commenced, to order that the summons or writ may be served on the Crown and Treasury solicitor for Ireland, in such manner and on such terms as to extension of time and otherwise as to the court shall seem fit, and that such service shall be deemed good and sufficient service of such summons or writ upon the Secretary of the Board of Trade.

“ 11. Where a complaint is made to the Board of Trade or a detaining officer that a British ship is unsafe, the Board or officer may, if they or he think fit, require the complainant to give security to the

satisfaction of the Board for the costs and compensation which he may become liable to pay as hereinafter mentioned.

“ Provided that where the complaint is made by one-fourth, being not less than three, of the seamen belonging to the ship, and is not in the opinion of the Board or officer frivolous or vexatious, such security shall not be required, and the Board or officer shall, if the complaint is made in sufficient time before the sailing of the ship, take proper steps for ascertaining whether the ship ought to be detained under this Act.

“ Where a ship is detained in consequence of any complaint, and the circumstances are such that the Board of Trade are liable under this Act to pay to the owner of the ship any costs or compensation, the complainant shall be liable to pay to the Board of Trade all such costs and compensation as the Board incur or are liable to pay in respect of the detention and survey of the ship.

“ 12. (1) A detaining officer shall have, for the purpose of his duties under this Act, the same powers as an inspector appointed by the Board of Trade under the Merchant Shipping Act, 1854 ;

(2) An order for the detention of a ship, provisional or final, and an order varying the same, shall be served as soon as may be on the master of the ship ;

(3) When a ship has been detained under this

Act, she shall not be released by reason of her British register being subsequently closed ;

- (4) For the purpose of a survey of a ship under this Act, any person authorized to make the same may go on board the ship and inspect the same and every part thereof, and the machinery, equipments, and cargo, and may require the unloading or removal of any cargo, ballast, or tackle ;
- (5) The provisions of the Merchant Shipping Act, 1854, with respect to persons who wilfully impede an inspector, or disobey a requisition or order of an inspector, shall apply as if those provisions were herein enacted, with the substitution for the inspector of any judge, assessor, officer, or surveyor who, under this Act, has the same powers as an inspector, or has authority to survey a ship."

GLOSSARY OF MERCANTILE TERMS

IN

ENGLISH, FRENCH, GERMAN, ITALIAN, AND SPANISH.

e. English ; *f.* French ; *g.* German ; *i.* Italian ; *s.* Spanish.

A.

s. A PROPOSITO PARA NAVEGAR ; *e.* seaworthy ; *f.* vaisseau navigable ; *g.* seefest ; *i.* atto a navigare.

e. ACCOUNT CURRENT ; *f.* compte courant ; *g.* conto corrente ; *i.* conto corrente ; *s.* cuenta corriente.

s. ADUANA ; *e.* custom-house ; *f.* douane ; *g.* zollhaus ; *i.* dogana.

e. AFFREIGHTMENT ; *f.* affrètement ; *g.* befrachtung ; *i.* noleggio ; *s.* flete.

f. AFFRÈTEMENT ; *e.* affreightment ; *g.* befrachtung ; *i.* noleggio ; *s.* flete.

f. AFFRÈTEMENT ; *e.* freightage ; *g.* frachtgeld ; *i.* noleggio ; *s.* flete.

f. AFFRÈTEUR ; *e.* charterer ; *g.* befrachter ; *i.* noleggiatore ; *s.* cargador.

s. ALMACEN DE DEPOSITO ; *e.* customs warehouse (bonded warehouse) ; *f.* entrepôt ; *g.* entrepôt ; *i.* magazzino di deposito.

f. AMENDE ; *e.* fine ; *g.* geldstrafe ; *i.* multa ; *s.* multa.

g. AMTS-WERTH ; *e.* official value ; *f.* valeur officielle ; *i.* valore ufficiale ; *s.* valor oficial.

e. ANCHORAGE ; *f.* ancrage ; *g.* ankergrund ; *i.* ancoramento ; *s.* anclaje, ancoraje.

e. ANCHORAGE DUES ; *f.* droits d'ancrage ; *g.* ankerzoll ; *i.* dazio d'ancoramento ; *s.* anclaje.

e. ANCHORS ; *f.* ancres ; *g.* anker ; *i.* ancore ; *s.* anclas.

s. ANCLAJE, ANCORAJE; *e.* anchorage; *f.* ancrage; *g.* ankergrund; *i.* ancoramento.

s. ANCLAS; *e.* anchors; *f.* ancras; *g.* anker; *i.* ancore.

i. ANCORAMENTO; *e.* anchorage; *f.* ancrage; *g.* ankergrund; *s.* anclaje, ancoraje.

i. ANCORE; *e.* anchors; *f.* ancras; *g.* anker; *s.* anclas.

f. ANCRAGE; *e.* anchorage; *g.* ankergrund; *i.* ancoramento; *s.* anclaje, ancoraje.

f. ANCRAS; *e.* anchors; *g.* anker; *i.* ancore; *s.* anclas.

g. ANKER; *e.* anchors; *f.* ancras; *i.* ancore; *s.* anclas.

g. ANKERGRUND; *e.* anchorage; *f.* ancrage; *i.* ancoramento; *s.* anclaje, ancoraje.

g. ANKERZOLL; *e.* anchorage dues; *f.* droit d'ancrage; *i.* dazio d'ancoramento; *s.* anclaje.

f. ARBITRAGE; *e.* arbitration; *g.* schiedsrichter; *i.* arbitrato; *s.* arbitramento.

s. ARBITRAMENTO; *e.* arbitration; *f.* arbitrage; *g.* schiedsrichter; *i.* arbitrato.

e. ARBITRATION; *f.* arbitrage; *g.* schiedsrichter; *i.* arbitrato; *s.* arbitramento.

i. ARBITRATO; *e.* arbitration; *f.* arbitrage; *g.* schiedsrichter; *s.* arbitramento.

f. ARGENT; *e.* money; *g.* geld; *i.* danaro; *s.* dinero.

f. ARGENT COMPTANT; *e.* cash; *g.* cassa; *i.* danaro contante; *s.* dinero contante, plata duro.

s. ARMADORES; *e.* owners (shipowners); *f.* armateurs; *g.* rheder; *i.* armatori.

f. ARMATEURS; *e.* owners (shipowners); *g.* rheder; *i.* armatori; *s.* armadores.

i. ARMATORI; *e.* owners (shipowners); *f.* armateurs; *g.* rheder; *s.* armadores.

s. ASEGURACION; *e.* insurance; *f.* assurance; *g.* assecuranz; *i.* assicurazione.

s. ASEGURADOR; *e.* underwriter; *f.* assureur; *g.* assecurant; *i.* assicuratore.

g. ASSECURANT; *e.* underwriter; *f.* assureur; *i.* assicuratore; *s.* asegurador.

g. ASSECURANZ; *e.* insurance; *f.* assurance; *i.* assicurazione; *s.* aseguration.

i. ASSICURATORE; *e.* underwriter; *f.* assureur; *g.* assecurant; *s.* asegurador.

i. ASSICURAZIONE; *e.* insurance; *f.* assurance; *g.* assecuranz;
s. aseguracion.

f. ASSURANCE; *e.* insurance; *g.* assecuranz; *i.* assicurazione;
s. aseguracion.

f. ASSUREUR; *e.* underwriter; *g.* assecurant; *i.* assicuratore;
s. asegurador.

g. ATTEST; *e.* certificate; *f.* certificat; *i.* certificato; *s.* certification.

i. ATTO A NAVIGARE; *e.* seaworthy; *f.* vaisseau navigable;
g. seefest; *s.* a proposito para navigar.

g. AUFGELD, AGIO; *e.* premium; *f.* prime; *i.* premio;
s. premio.

g. AUSCHLAG; *e.* valuation; *f.* evaluation; *i.* valutazione;
s. valuacion.

i. AVARIA; *e.* average; *f.* avarie; *g.* havarie; *s.* avaria.

s. AVARIA; *e.* average; *f.* avarie; *g.* havarie; *i.* avaria.

f. AVARIE; *e.* average; *g.* havarie; *i.* avaria; *s.* avaria.

e. AVERAGE; *f.* avarie; *g.* havarie; *i.* avaria; *s.* avaria.

B.

i. BACINO; *e.* dock; *f.* bassin; *g.* docke; *s.* dique.

f. BAGAGE; *e.* luggage; *g.* reisezeng; *i.* bagaglie; *s.* bagage.

s. BAGAGE; *e.* luggage; *f.* bagage; *g.* reisezeng; *i.* bagaglie.

i. BAGAGLIE; *e.* luggage; *f.* bagage; *g.* reisezeng; *s.* bagage.

s. BALA; *e.* bale (of goods); *f.* colis; *g.* ballen; *i.* balla,
collo.

e. BALE (of goods); *f.* colis; *g.* ballen; *i.* balla, collo;
s. bala.

i. BALLA, COLLO; *e.* bale (of goods); *f.* colis; *g.* ballen;
s. bala.

e. BALLAST; *f.* lest; *g.* ballast; *i.* savorra; *s.* lastre.

g. BALLAST; *e.* ballast; *f.* lest; *i.* savorra; *s.* lastre.

g. BALLE; *e.* bale (of goods); *f.* colis; *i.* balla, collo;
s. bala.

i. BANCA; *e.* bank; *f.* banque; *g.* bank; *s.* banco.

s. BANCO; *e.* bank; *f.* banque; *g.* bank; *i.* banca.

e. BANK; *f.* banque; *g.* bank; *i.* banca; *s.* banco.

g. BANK; *e.* bank; *f.* banque; *i.* banca; *s.* banco.

f. BANQUE; *e.* bank; *g.* bank; *i.* banca; *s.* banco.

f. BARIL, BARIQUE; *e.* barrel (cask); *g.* fass, tonne; *i.* barile; *s.* baril.

s. BARIL; *e.* barrel (cask); *f.* baril, barique; *g.* fass, tonne; *i.* barile.

i. BARILE; *e.* barrel (cask); *f.* baril, barique; *g.* fass, tonne; *s.* baril.

e. BARREL (cask); *f.* baril, barique; *g.* fass, tonne; *i.* barile; *s.* baril.

f. BASSIN; *e.* dock; *g.* docke; *i.* bacino; *s.* dique.

g. BEFRACHTER; *e.* charterer; *f.* affrèteur; *i.* noleggiatore; *s.* cargador.

g. BEFRACHTUNG; *e.* affreightment; *f.* affrètement; *i.* noleggio; *s.* flete.

g. BERGELOHN; *e.* salvage; *f.* sauvetage; *i.* salvamento; *s.* salvamiento.

s. BIENES ABANDONADOS; *e.* derelicts; *f.* marchandises épaves; *g.* verlassen waaren; *i.* merce derelitti.

e. BILL OF EXCHANGE; *f.* lettre de change; *g.* wechsel, schuld-schein; *i.* lettera di cambio; *s.* letra de cambio.

e. BILL OF HEALTH; *f.* patente de santé; *g.* gesundheitspass; *i.* patente di salute; *s.* patente de sanidad.

e. BILL OF LADING; *f.* connaissement; *g.* connossement, ladungschein; *i.* polizza di carico; *s.* conocimiento.

e. BILL OF SALE; *f.* lettre de vente; *g.* verkauf-brief; *i.* lettera di vendita; *s.* letra de venta.

i. BOA, GAVILELLO; *e.* buoy; *f.* bouée; *g.* boye, buje; *s.* boia.

e. BOARD OF TRADE; *f.* conseil du commerce; *g.* handels-ministerie; *i.* consiglio di commercio; *s.* consejo de comercio.

g. BODMEREI; *e.* bottomry; *f.* bomerie; *i.* buonmeria; *s.* buenmeria, casco y quilla.

s. BOIA; *e.* buoy; *f.* bouée; *g.* boye, buje; *i.* boa, gavilello.

f. BOIS D'ARRIMAGE; *e.* dunnage; *g.* stanholz; *i.* legno da stivare; *s.* leña de estiva.

f. BOMERIE; *e.* bottomry; *g.* bodmerei; *i.* buonmeria; *s.* buenmeria, casco y quilla.

f. BOTTE; *e.* butt (wine-cask); *g.* weinfass; *i.* botte; *s.* pipa.

i. BOTTE; *e.* butt (wine-cask); *f.* botte; *g.* weinfass; *s.* pipa.

e. BOTTOMRY; *f.* bomerie; *g.* bodmerei; *i.* buonmeria; *s.* buenmeria, casco y quilla.

f. BOUÉE; *e.* buoy; *g.* boye, buje; *i.* boa, gavilello; *s.* boia.

g. BOYE, BUJE; *e.* buoy; *f.* bouée; *i.* boa, gavilello; *s.* boia.

- i.* BRACCIO; *e.* fathom; *f.* brasse; *g.* faden; *s.* braza.
f. BRASSE; *e.* fathom; *g.* faden; *i.* braccio; *s.* braza.
s. BRAZA; *e.* fathom; *f.* brasse; *g.* faden; *i.* braccio.
f. BREVET, PATENTE; *e.* patent; *g.* patent; *i.* brevet;
s. patente.
i. BREVET; *e.* patent; *f.* brevet, patente; *g.* patent; *s.* patente.
g. BRIEF; *e.* letter; *f.* lettre; *i.* lettera; *s.* letra.
e. BROKER; *f.* courtier; *g.* mäkler; *i.* sensale corretore;
s. corredor.
e. BROKERAGE; *f.* courtage; *g.* courtage; *i.* sensaria; *s.* cor-
retage.
f. BRÛT; *e.* gross weight; *g.* brutto; *i.* lordo; *s.* bruto.
s. BRUTO; *e.* gross weight; *f.* brût; *g.* brutto; *i.* lordo.
g. BRUTTO; *e.* gross weight; *f.* brût; *i.* lordo; *s.* bruto.
s. BUENMERIA, CASCO Y QUILLA; *e.* bottomry; *f.* bomerie;
g. bodmerei; *i.* buenmeria.
i. BUONMERIA; *e.* bottomry; *f.* bomerie; *g.* bodmerei;
s. buenmeria, casco y quilla.
e. BUOY; *f.* bouée; *g.* boye, buje; *i.* boa, gavilello; *s.* boia.
f. BUREAU; *e.* office (place of business); *g.* comptoir;
i. scrittorio, banco; *s.* escritorio, despacho.
g. BURGE, GARANT; *e.* guarantee; *f.* garant; *i.* guarentia;
s. garante.
e. BUTT (wine-cask); *f.* botte; *g.* weinfass; *i.* botte; *s.* pipa.

C.

- f.* CABOTAGE; *e.* coasting trade; *g.* küstenhandel; *s.* cabot-
taggio; *s.* comercio de costa, cabotaje.
i. CABOTTAGGIO; *e.* coasting-trade; *f.* cabotage; *g.* küsten-
handel; *s.* comercio de costa, cabotaje.
i. CALEFATARE; *e.* caulk; *f.* calfater; *g.* kalfatern; *s.* cal-
fatear.
s. CALFATEAR; *e.* caulk; *f.* calfater; *g.* kalfatern; *s.* cale-
fatare.
f. CALFATER; *e.* caulk; *g.* kalfatern; *i.* calefatare; *s.* calfa-
tear.
s. CAMBIO; *e.* rate of exchange; *f.* cours; *g.* wechseleours;
i. corso di cambi.
s. CAMINO DE HIERRO; *e.* railroad; *f.* chemin de fer; *g.* eisen-
bahn; *i.* strada ferrata.

s. CAPA; *e.* primage; *f.* chapeau; *g.* primgeld; *i.* cappa primaggio.

g. CAPERBRIEF; *e.* letter of marque; *f.* lettre de marque; *i.* patente di marco; *s.* patente de corso.

f. CAPITAINE; *e.* master (shipmaster); *g.* schiffscapitän; *i.* capitano; *s.* capitan, patron.

s. CAPITAN, PATRON; *e.* master (shipmaster); *f.* capitaine; *g.* schiffscapitän; *i.* capitano.

i. CAPITANO; *e.* master (shipmaster); *f.* capitaine; *g.* schiffscapitän; *s.* capitan, patron.

i. CAPPÀ PRIMAGGIO; *e.* primage; *f.* chapeau; *g.* primgeld; *s.* capa.

f. CARCASSE DE VAISSEAU; *e.* hulk; *g.* hulk; *i.* corpo d'una nave; *s.* casco.

s. CARGA; *e.* cargo; *f.* cargaison; *g.* ladung; *i.* carico.

s. CARGA; *e.* freight; *f.* cargaison; *g.* fracht; *i.* càrica.

s. CARGADOR; *e.* charterer; *f.* affréteur; *g.* befrachter; *i.* noleggiatore.

f. CARGAISON; *e.* cargo; *g.* ladung; *i.* carico; *s.* carga.

f. CARGAISON; *e.* freight; *g.* fracht; *i.* carica; *s.* carga.

e. CARGO; *f.* cargaison; *g.* ladung; *i.* carico; *s.* carga.

i. CARICA; *e.* freight; *f.* cargaison; *g.* fracht; *s.* carga.

i. CARICO; *e.* cargo; *f.* cargaison; *g.* ladung; *s.* carga.

i. CARTA MONETA; *e.* paper money; *f.* papier-monnaie; *g.* papiergeld; *s.* papel moneda.

s. CARTAS DE MAREAR; *e.* charts (sea-charts); *f.* chartes; *g.* seekarten; *i.* carte marine.

i. CARTE MARINE; *e.* charts (sea-charts); *f.* chartes; *g.* seekarten; *s.* cartas de marear.

s. CASCO; *e.* hulk; *f.* carcasse de vaisseau; *g.* hulk; *i.* corpo d'una nave.

e. CASH; *f.* argent comptant; *g.* cassa; *i.* danaro contante; *s.* dinero contante, plata duro.

e. CASK. *See* BARREL.

g. CASSA; *e.* cash; *f.* argent comptant; *i.* danaro contante; *s.* dinero contante, plata duro.

e. CAULK; *f.* calfater; *g.* kalfatern; *i.* calefatare; *s.* calfatear.

g. CERTÉ-PARTIE; *e.* charter-party; *f.* charte-partie; *i.* contratto di noleggio; *s.* contrato de fletamiento.

s. CERTIFICACION; *e.* certificate; *f.* certificat; *g.* attest; *i.* certificato.

f. CERTIFICAT ; *e.* certificate ; *g.* attest ; *i.* certificato ; *s.* certificación.

e. CERTIFICATE ; *f.* certificat ; *g.* attest ; *i.* certificato ; *s.* certificación.

i. CERTIFICATO ; *e.* certificate ; *f.* certificat ; *g.* attest ; *s.* certificación.

f. CHAPEAU ; *e.* primage ; *g.* primgeld ; *i.* cappa primaggio ; *s.* capa.

f. CHARTE-PARTIE ; *e.* charter-party ; *g.* certe-partie ; *i.* contratto di noleggio ; *s.* contrato de fletamiento.

f. CHARTES ; *e.* charts (sea-charts) ; *g.* seekarten ; *i.* carte marine ; *s.* cartas de marear.

e. CHARTER-PARTY ; *f.* charte-partie ; *g.* certe-partie ; *i.* contratto di noleggio ; *s.* contrato de fletamiento.

e. CHARTERER ; *f.* affréteur ; *g.* befrachter ; *i.* noleggiatore ; *s.* cargador.

e. CHARTS (sea-charts) ; *f.* chartes ; *g.* seekarten ; *i.* carte marine ; *s.* cartas de marear.

f. CHEMIN DE FER ; *e.* railroad ; *g.* eisenbahn ; *i.* strada ferrata ; *s.* camino de hierro.

e. COASTING TRADE ; *f.* cabotage ; *g.* küstenhandel ; *i.* cabottaggio ; *s.* comercio de costa, cabotaje.

f. COLIS ; *e.* bale (of goods) ; *g.* ballen ; *i.* balla, collo ; *s.* bala.

i. COLIS ; *e.* packages (of merchandise) ; *f.* kollis ; *i.* colli ; *s.* fardos.

i. COLLI ; *e.* packages (of merchandise) ; *f.* colis ; *g.* kollis ; *s.* fardos.

s. COMERCIO DE COSTA, CABOTAJE ; *e.* coasting trade ; *f.* cabotage ; *g.* küstenhandel ; *i.* cabottaggio.

f. COMPTE COURANT ; *e.* account current ; *g.* conto corrente ; *i.* conto corrente ; *s.* cuenta corriente.

g. COMPTOIR ; *e.* office (place of business) ; *f.* bureau ; *i.* scrittorio, banco ; *s.* escritorio, despacho.

s. CONFISCACION ; *e.* confiscation ; *f.* confiscation ; *g.* einziehung ; *i.* confiscazione.

e. CONFISCATION ; *f.* confiscation ; *g.* einziehung ; *i.* confiscazione ; *s.* confiscacion.

f. CONFISCATION ; *e.* confiscation ; *g.* einziehung ; *i.* confiscazione ; *s.* confiscacion.

i. CONFISCAZIONE ; *e.* confiscation ; *f.* confiscation ; *g.* einziehung ; *s.* confiscacion.

f. CONNAISSEMENT; *e.* bill of lading; *g.* connossement, ladungschein; *i.* polizza di carico; *s.* conocimiento.

g. CONNOSSEMENT, LADUNGSSCHEIN; *e.* bill of lading; *f.* connaissance; *i.* polizza di carico; *s.* conocimiento.

s. CONOCIMIENTO; *e.* bill of lading; *f.* connaissance; *g.* connossement, ladungschein; *i.* polizza di carico.

i. CONSEGNAZIONE; *e.* consignment; *f.* consignation; *g.* consignation; *s.* consignacion.

f. CONSEIL DU COMMERCE; *e.* Board of Trade; *g.* handelsministerie; *i.* consiglio di commercio; *s.* consejo de comercio.

s. CONSEJO DE COMERCIO; *e.* Board of Trade; *f.* conseil du commerce; *g.* handelsministerie; *i.* consiglio di commercio.

i. CONSIGLIO DI COMMERCIO; *e.* Board of Trade; *f.* conseil du commerce; *g.* handelsministerie; *s.* consejo de comercio.

s. CONSIGNACION; *e.* consignment; *f.* consignation; *g.* consignation; *i.* consignazione.

f. CONSIGNATION; *e.* consignment; *g.* consignation; *i.* consignazione; *s.* consignacion.

g. CONSIGNATION; *e.* consignment; *f.* consignation; *i.* consignazione; *s.* consignacion.

e. CONSIGNMENT; *f.* consignation; *g.* consignation; *i.* consignazione; *s.* consignacion.

g. CONTO CORRENTO; *e.* account current; *f.* compte courant; *i.* contocorrente; *s.* cuenta corriente.

i. CONTO CORRENTE; *e.* account current; *f.* compte courant; *g.* conto corrente; *s.* cuenta corriente.

s. CONTRA MAESTRE; *e.* mate (of a ship); *f.* second; *g.* steuermann; *i.* secondo.

i. CONTRABANDO; *e.* smuggling; *f.* contrebande; *g.* schmuggelei; *s.* contrebando.

f. CONTREBANDE; *e.* smuggling; *g.* schmuggelei; *i.* contrabando; *s.* contrebando.

s. CONTRABANDO; *e.* smuggling; *f.* contrebande; *g.* schmuggelei; *i.* contrabando.

s. CONTRATO DE FLETAMIENTO; *e.* charter-party; *f.* charte-partie; *g.* certe-partie; *i.* contratto di noleggio.

i. CONTRATTO DI NOLEGGIO; *e.* charter-party; *f.* charte-partie; *g.* certe-partie; *s.* contrato de fletamiento.

i. CORPO D'UNA NAVE; *e.* hulk; *f.* carcasse de vaisseau; *g.* hulk; *s.* casco.

s. CORREDOR; *e.* broker; *f.* courtier; *g.* mäkler; *i.* sensale corretore.

s. CORREDOR; *e.* ship-broker; *f.* courtier maritime; *g.* schiffmäckler; *i.* sensale di bastimenti.

s. CORRETAGÉ; *e.* brokerage; *f.* courtage; *g.* courtage; *s.* sensaria.

i. CORSO DI CAMBI; *e.* rate of exchange; *f.* cours; *g.* wechselcours; *s.* cambio.

f. COULAGE; *e.* leakage; *g.* leccage; *i.* scolo; *s.* derrame.

f. COURS; *e.* rate of exchange; *g.* wechselcours; *i.* corso di cambi; *s.* cambio.

f. COURTAGÉ; *e.* brokerage; *g.* courtage; *i.* sensaria; *s.* corretage.

g. COURTAGÉ; *e.* brokerage; *f.* courtage; *i.* sensaria; *s.* corretage.

f. COURTIER; *e.* broker; *g.* mäkler; *i.* sensale corretore; *s.* corredor.

f. COURTIER MARITIME; *e.* ship-broker; *g.* schiffmäckler; *i.* sensale di bastimenti; *s.* corredor.

g. CREDIT-BRIEF; *e.* letter of credit; *f.* lettre de crédit; *i.* lettera di credito; *s.* letra de credito.

e. CREW; *f.* équipage; *g.* mannschaft; *i.* equipaggio; *s.* tripulacion.

s. CUENTA CORRIENTE; *e.* account current; *f.* compte courant; *g.* conto corrente; *i.* conto corrente.

s. CURANTENA; *e.* quarantine; *f.* quarantaine; *g.* quarantane; *i.* quarantina.

e. CURRENCY. *See* PAPER-MONEY.

e. CUSTOM-HOUSE; *f.* douane; *g.* zollhaus; *i.* dogana; *s.* aduana.

e. CUSTOMS DUTIES; *f.* droits de douane; *g.* zoll; *i.* pazio, diritti; *s.* derechos.

e. CUSTOMS WAREHOUSE (bonded warehouse); *f.* entrepôt; *g.* entrepôt; *i.* magazzino di deposito; *s.* almacén de deposito.

D.

i. DANARO; *e.* money; *f.* argent; *g.* geld; *s.* dinero.

i. DANARO CONTANTE; *e.* cash; *f.* argent comptant; *g.* cassa; *s.* dinero contante, plata duro.

i. DAZIO D'ANCORAMENTO; *e.* anchorage dues; *f.* droit d'ancrage; *g.* ankerzoll; *s.* anclaje.

f. DÉCHARGEMENT, DÉBARQUEMENT; *e.* landing of goods; *g.* landung; *i.* sbarco; *s.* desembarco.

s. DEMORA; *e.* demurrage; *f.* jours de planche; *g.* lietage; *i.* soprastallia.

e. DEMURRAGE; *f.* jours de planche; *g.* lietage; *i.* soprastallia; *s.* demora.

s. DERECHOS; *e.* customs duties; *f.* droits de douane; *g.* zoll; *i.* pazio, diritti.

s. DERECHOS DE PUERTO; *e.* harbour dues; *f.* droits de port; *g.* hafengeld; *i.* diritti di porto.

e. DERELICTS; *f.* marchandises épaves; *g.* verlassen waaren; *i.* merce derelitti; *s.* bienes abandonados.

s. DERRAME; *e.* leakage; *f.* coulage; *g.* leccage; *i.* scolo.

s. DESOUENTO; *e.* rebate; *f.* sconto; *g.* sconto; *i.* sconto.

s. DESEMBARCO; *e.* landing of goods; *f.* déchargement, débarquement; *g.* landung; *i.* sbarco.

i. DIFALCO; *e.* drawback; *f.* restitution; *g.* rückzoll; *s.* resaca.

s. DINERO; *e.* money; *f.* argent; *g.* geld; *i.* danaro.

s. DINERO CONTANTE, PLATA DURO; *e.* cash; *f.* argent comptant; *g.* cassa; *i.* danaro contante.

s. DIQUE; *e.* dock; *f.* bassin; *g.* docke; *i.* bacino.

i. DIRITTI DI PORTO; *e.* harbour dues; *f.* droits de port; *g.* hafengeld; *s.* derechos de puerto.

i. DIRITTO DI RIPAGGIO; *e.* wharfage; *f.* quayage; *g.* kajengeld; *s.* muellage.

g. DISCONTO; *e.* rebate; *f.* escompt; *i.* sconto; *s.* descuento.

e. DOCK; *f.* bassin; *g.* docke; *i.* bacino; *s.* dique.

g. DOCKE; *e.* dock; *f.* bassin; *i.* bacino; *s.* dique.

i. DOGANA; *e.* custom-house; *f.* douane; *g.* zollhaus; *s.* aduana.

i. DOGANIERE; *e.* officer (custom-house officer); *f.* douanier; *g.* zollbeamter; *s.* guardia de aduana.

f. DOUANE; *e.* custom-house; *g.* zollhaus; *i.* dogana; *s.* aduana.

f. DOUANIER; *e.* officer (custom-house officer); *g.* zollbeamter; *i.* doganiere; *s.* guardia de aduana.

e. DRAWBACK; *f.* restitution; *g.* rückzoll; *i.* difalco; *s.* resaca.

f. DROIT D'ANCRAGE; *e.* anchorage dues; *g.* ankerzoll; *i.* dazio d'ancoramento; *s.* anclaje.

f. DROITS DE DOUANE; *e.* custom duties; *g.* zoll; *i.* pazio, diritti; *s.* derechos.

f. DROITS DE PORT; *e.* harbour dues; *g.* hafengeld; *i.* diritti di porto; *s.* derechos de puerto.

e. DUNNAGE; *f.* bois d'arrimage; *g.* stanholz; *i.* legno da stivare; *s.* leña de estiva.

E.

f. ÉCHANTILLONS; *e.* samples; *g.* muster; *i.* mostre; *s.* muestras.

g. EINSCHIFFUNG; *e.* shipment; *f.* embarquement; *i.* imbarcamento; *s.* encargamiento.

g. EINZIEHUNG; *e.* confiscation; *f.* confiscation; *i.* confiscazione; *s.* confiscacion.

g. EISENBAHN; *e.* railroad; *f.* chemin de fer; *i.* strada ferrata; *s.* camino de hierro.

e. EMBARGO; *f.* embargo; *g.* embargo; *i.* imbargo; *s.* embargo.

f. EMBARGO; *e.* embargo; *g.* embargo; *i.* imbargo; *s.* embargo.

g. EMBARGO; *e.* embargo; *f.* embargo; *i.* imbargo; *s.* embargo.

s. EMBARGO; *e.* embargo; *f.* embargo; *g.* embargo; *i.* imbargo.

f. EMBARQUEMENT; *e.* shipment; *f.* einschiffung; *i.* imbarcamento; *s.* encargamiento.

s. ENCARGAMIENTO; *e.* shipment; *f.* embarquement; *g.* einschiffung; *i.* imbarcamento.

e. ENDORSEMENT; *f.* endossement; *g.* indossement; *i.* giro, indorso; *s.* endoso.

s. ENDOSO; *e.* endorsement; *f.* endossement; *g.* indossement; *i.* giro, indorso.

f. ENDOSSEMENT; *e.* endorsement; *g.* indossement; *i.* giro, indorso; *s.* endoso.

f. ENTREPÔT; *e.* customs warehouse; *g.* entrepôt; *i.* magazzino di deposito; *s.* almacén de depósito.

g. ENTREPÔT; *e.* customs warehouse (bonded warehouse); *f.* entrepôt; *i.* magazzino di deposito; *s.* almacén de depósito.

f. ÉPAVES; *e.* flotsam; *g.* strandgut; *i.* galleggianti; *s.* generos que flotan.

f. ÉQUIPAGE; *e.* crew; *g.* mannschaft; *i.* equipaggio; *s.* tripulacion.

i. EQUIPAGGIO; *e.* crew; *f.* équipage; *g.* mannschaft; *s.* tripulacion.

f. ESCOMPT; *e.* rebate; *g.* sconto; *i.* sconto; *s.* descuento.

s. ESCRITORIO, DESPACHO; *e.* office (place of business); *f.* bureau; *g.* comptoir; *i.* scrittorio, banco.

s. ESPORTACION; *e.* exportation; *f.* exportation; *g.* exportation; *i.* esportazione.

i. ESPORTAZIONE; *e.* exportation; *f.* exportation; *g.* exportation; *s.* esportacion.

f. EVALUATION; *e.* valuation; *g.* ausschlag; *i.* valuazione; *s.* valuacion.

e. EXCHANGE, BILL OF. *See* BILL OF EXCHANGE.

e. EXPORTATION; *f.* exportation; *g.* exportation; *i.* esportazione; *s.* esportacion.

f. EXPORTATION; *e.* exportation; *g.* exportation; *i.* esportazione; *s.* esportacion.

g. EXPORTATION; *e.* exportation; *f.* exportation; *i.* esportazione; *s.* esportacion.

F.

g. FACTURA; *e.* invoice of goods; *f.* facture; *i.* fattura; *s.* factura.

s. FACTURA; *e.* invoice of goods; *f.* facture; *g.* factura; *i.* fattura.

f. FACTURE; *e.* invoice of goods; *g.* factura; *i.* fattura; *s.* factura.

g. FADEN; *e.* fathom; *f.* brasse; *i.* braccio; *s.* braza.

s. FARDOS; *e.* packages (of merchandise); *f.* colis; *g.* kollis; *i.* colli.

i. FARO; *e.* lighthouse; *f.* phare; *g.* leuchthurm; *s.* faro.

s. FARO; *e.* lighthouse; *f.* phare; *g.* leuchthurm; *i.* faro.

g. FASSE, TONNE; *e.* barrel (cask); *f.* baril, barique; *i.* barile; *s.* baril.

e. FATHOM; *f.* brasse; *g.* faden; *i.* braccio; *s.* braza.

i. FATTURA; *e.* invoice of goods; *f.* facture; *g.* factura; *s.* factura.

e. FINE (penalty); *f.* amende; *g.* geldstrafe; *i.* multa; *s.* multa.

s. FLETE; *e.* affreightment; *f.* affrètement; *g.* befrachtung; *i.* noleggio.

s. FLETE; *e.* freightage; *f.* affrètement; *g.* frachtgeld; *i.* noleggio.

e. FLOTSAM; *f.* épaves; *g.* strandgut; *i.* galleggianti; *s.* generos que flotan.

g. FRACHT; *e.* freight; *f.* cargaison; *i.* carica; *s.* carga.

g. FRACHTGELD; *e.* freightage; *f.* affrètement; *i.* noleggio;
s. flete.

e. FREE TRADE; *f.* libre commerce; *g.* handelsfreiheit;
i. libero commercio; *s.* libre comercio.

e. FREIGHT; *f.* cargaison; *g.* fracht; *i.* carica; *s.* carga.

e. FREIGHTAGE; *f.* affrètement; *g.* frachtgeld; *i.* noleggio;
s. flete.

G.

f. GABARAGE; *e.* lighterage; *g.* lichtergeld; *i.* spese del disbarco; *s.* gabarraje.

s. GABARRAJE; *e.* lighterage; *f.* gabarage; *g.* lichtergeld;
i. spese del disbarco.

i. GALLEGGIANTI; *e.* flotsam; *f.* épaves; *g.* strandgut; *s.* generos que flotan.

f. GARANT; *e.* guarantee; *g.* bürge, garant; *i.* guarentia;
s. garante.

s. GARANTE; *e.* guarantee; *f.* garant; *g.* bürge, garant;
i. guarentia.

s. GARANTIA; *e.* guaranty; *f.* garantie; *g.* garantie, bürgschaft; *i.* guarentia.

f. GARANTIE; *e.* guaranty; *g.* garantie, bürgschaft; *i.* guarentia; *s.* garantia.

g. GARANTIE, BÜRGSCHAFT; *e.* guaranty; *f.* garantie; *i.* guarentia; *s.* garantia.

g. GELD; *e.* money; *f.* argent; *i.* danaro; *s.* dinero.

g. GELDSTRAFE; *e.* fine (penalty); *f.* amende; *i.* multa;
s. multa.

s. GENEROS QUE FLOTAN; *e.* flotsam; *f.* épaves; *g.* strandgut;
i. galleggianti.

g. GESUNDHEITSPASS; *e.* bill of health; *f.* patente de santé;
i. patente de salute; *s.* patente de sanidad.

i. GIRO, INDORSO; *e.* endorsement; *f.* endossement; *g.* indossement; *s.* endoso.

e. GOODS (merchandise); *f.* marchandises; *g.* waaren; *i.* mercanzia, mercie; *s.* mercaderia, generos.

e. GROSS (twelve dozen); *f.* grosse; *g.* gross; *i.* grosso;
s. gruesa.

g. GROSS; *e.* gross (twelve dozen); *f.* grosse; *i.* grosso;
s. gruesa.

- e.* GROSS WEIGHT; *f.* brût; *g.* brutto; *i.* lordo; *s.* bruto.
f. GROSSE; *e.* gross (twelve dozen); *g.* gross; *i.* grosso;
s. gruesa.
i. GROSSO; *e.* gross (twelve dozen); *f.* grosse; *g.* gross;
s. gruesa.
s. GRUESA; *e.* gross (twelve dozen); *f.* grosse; *g.* gross;
s. grosso.
e. GUARANTEE; *f.* garant; *g.* bürge, garant; *i.* guarentia;
s. garante.
e. GUARANTY; *f.* garantie; *g.* garantie, bürgschaft; *i.* guarentia; *s.* garantia.
s. GUARDIA DE ADUANA; *e.* officer (custom-house officer);
f. douanier; *g.* zollbeamter; *i.* doganiere.
i. GUARENTIA; *e.* guarantee; *f.* garant; *g.* bürge, garant;
s. garante.
i. GUARENTIA; *e.* guaranty; *f.* garantie; *g.* garantie, bürgschaft; *s.* garantia.
s. GUIA; *e.* permit (customs permit); *f.* permis, passavant;
g. schiffspass; *i.* permesso di dogana.

H.

- g.* HAFEN; *e.* harbour; *f.* port, havre; *i.* porto; *s.* puerto.
g. HAFENGELD; *e.* harbour dues; *f.* droits de port; *i.* diritti di porto; *s.* derechos de puerto.
g. HAFENDAMM; *e.* pier (landing-place); *f.* jetée, débarcadère; *i.* molo; *s.* muelle.
g. HANDELSFREIHEIT; *e.* free trade; *f.* libre commerce; *i.* libero commercio; *s.* libre comercio.
g. HANDELSMINISTERIE; *e.* Board of Trade; *f.* conseil du commerce; *i.* consiglio di commercio; *s.* concejo de comercio.
e. HARBOUR; *f.* port, havre; *g.* hafen; *i.* porto; *s.* puerto.
e. HARBOUR DUES; *f.* droits de port; *g.* hafengeld; *i.* diritti de porto; *s.* derechos de puerto.
f. HAUTE MARÉE; *e.* high water; *g.* hochwasser; *i.* marea-piena; *s.* plena mar.
g. HAVARIE; *e.* averoge; *f.* avarie; *i.* avaria; *s.* avaria.
e. HIGH WATER; *f.* haute marée; *g.* hochwasser; *i.* marea-piena; *s.* plena mar.
g. HOCHWASSER; *e.* high water; *f.* haute marée; *i.* mareapiena; *s.* plena mar.

e. HULK; *f.* carcasse de vaisseau; *g.* hulk; *i.* corpo d'una nave; *s.* casco.

g. HULK; *e.* hulk; *f.* carcasse de vaisseau; *i.* corpo d'una nave; *s.* casco.

s. HYPOTECA; *e.* mortgage; *f.* hypothèque; *g.* hypotheckenpfand; *i.* ipoteca.

g. HYPOTHEKENPFAND; *e.* mortgage; *f.* hypothèque; *i.* ipoteca; *s.* hypoteca.

f. HYPOTHEQUE; *e.* mortgage; *g.* hypotheckenpfand; *i.* ipoteca; *s.* hypoteca.

I.

i. IMBARCAMENTO; *e.* shipment; *f.* embarquement; *g.* einschiffung; *s.* encargamiento.

i. IMBARGO; *e.* embargo; *f.* embargo; *g.* embargo; *s.* embargo.

s. IMPORTACION; *e.* importation; *f.* importation; *g.* importation, einfuhr; *i.* importazione.

e. IMPORTATION; *f.* importation; *g.* importation, einfuhr; *i.* importazione; *s.* importacion.

f. IMPORTATION; *e.* importation; *g.* importation, einfuhr; *i.* importazione; *s.* importacion.

g. IMPORTATION, EINFUHR; *e.* importation; *f.* importation; *i.* importazione; *s.* importacion.

i. IMPORTAZIONE; *e.* importation; *f.* importation; *g.* importation, einfuhr; *s.* importacion.

g. INDOSSEMENT; *e.* endorsement; *f.* endossement; *s.* giro, indorso; *s.* endoso.

e. INSURANCE; *f.* assurance; *g.* assecuranz; *i.* assicurazione; *s.* aseguracion.

e. INVOICE OF GOODS; *f.* facture; *g.* factura; *i.* fattura; *s.* factura.

i. IPOTECA; *e.* mortgage; *f.* hypothèque; *g.* hypotheckenpfand; *s.* hypoteca.

J.

f. JETÉE, DÉBARCADIÈRE; *e.* pier (landing-place); *g.* hafen-damm; *i.* molo; *s.* muelle.

f. JOURS DE PLANCHE; *e.* demurrage; *g.* lietage; *i.* sopra-stallia; *s.* demora.

K.

g. KÄGERLOHN; *e.* portorage; *f.* portage; *i.* porto di facchini; *s.* porte.

g. KAJENGELD; *e.* wharfage; *f.* quayage; *i.* diritto di ripaggio; *s.* muellage.

g. KALFATERN; *e.* caulk; *f.* calfater; *i.* calefatore; *s.* calfatear.

g. KOLLIS; *e.* packages (of merchandise); *f.* colis; *i.* colli; *s.* fardos.

g. KUSTENHANDEL; *e.* coasting trade; *f.* cabotage; *i.* cabotaggio; *s.* comercio de costa, cabotage.

L.

g. LADUNG; *e.* cargo; *f.* cargaison; *i.* carico; *s.* carga.

e. LANDING OF GOODS; *f.* déchargement, débarquement; *g.* landung; *i.* sbarco; *s.* desembarco.

g. LANDUNG; *e.* landing of goods; déchargement, débarquement; *i.* sbarco; *s.* desembarco.

g. LASTFÄRIGKEIT; *e.* tonnage (ship's tonnage); *f.* tonnage; *i.* tonellagio; *s.* tonelaje.

s. LASTRE; *e.* ballast; *f.* lest; *g.* ballast; *i.* savorra.

e. LEAKAGE; *f.* coulage; *g.* leccage; *i.* scolo; *s.* derrame.

g. LECCAGE; *e.* leakage; *f.* coulage; *i.* scolo; *s.* derrame.

i. LEGNO DA STIVARE; *e.* dunnage; *f.* bois d'arrimage; *g.* stanholz; *s.* leña de estiva.

s. LEÑA DE ESTIVA; *e.* dunnage; *f.* bois d'arrimage; *g.* stanholz; *i.* legno da stivare.

f. LEST; *e.* ballast; *g.* ballast; *i.* savorra; *s.* lastre.

s. LETRA; *e.* letter; *f.* lettre; *g.* brief; *i.* lettera.

s. LETRA DE CAMBIO; *e.* bill of exchange; *f.* lettre de change; *g.* wechsel, schuldschein; *i.* lettera di cambio.

s. LETRA DE CREDITO; *e.* letter of credit; *f.* lettre de crédit; *g.* credit-brief; *i.* lettera di credito.

s. LETRA DE VENTA; *e.* bill of sale; *f.* lettre de vente; *g.* verkauf-brief; *i.* lettera di vendita.

e. LETTER; *f.* lettre; *g.* brief; *i.* lettera; *s.* letra.

e. LETTER OF CREDIT; *f.* lettre de crédit; *g.* credit-brief; *i.* lettera di credito; *s.* letra de credito.

e. LETTER OF MARQUE; *f.* lettre de marque; *g.* caperbrief; *i.* patente di marco; *s.* patente de corso.

i. LETTERA ; *e.* letter ; *f.* lettre ; *g.* brief ; *s.* letra.

i. LETTERA DI CAMBIO ; *e.* bill of exchange ; *f.* lettre de change ; *g.* wechsel, schuldschein ; *letra de cambio.*

i. LETTERA DI CREDITO ; *e.* letter of credit ; *f.* lettre de crédit ; *g.* credit-brief ; *s.* letra de credito.

i. LETTERA DI VENDITA ; *e.* bill of sale ; *f.* lettre de vente ; *g.* verkauf-brief ; *s.* letra de venta.

f. LETTRE ; *e.* letter ; *g.* brief ; *i.* lettera ; *s.* letra.

f. LETTRE DE CHANGE ; *e.* bill of exchange ; *g.* wechsel, schuldschein ; *i.* lettera di cambio ; *s.* letra de cambio.

f. LETTRE DE CRÉDIT ; *e.* letter of credit ; *g.* credit-brief ; *i.* lettera di credito ; *s.* letra de credito.

f. LETTRE DE MARQUE ; *e.* letter of marque ; *g.* caperbrief ; *i.* patente di marco ; *s.* patente de corso.

f. LETTRE DE VENTE ; *e.* bill of sale ; *g.* verkauf-brief ; *i.* lettera di vendita ; *s.* letra de venta.

g. LEUCHTHURM ; *e.* lighthouse ; *f.* phare ; *i.* faro ; *s.* faro.

i. LIBERO COMMERCIO ; *e.* free trade ; *f.* libre commerce ; *g.* handelsfreiheit ; *s.* libre comercio.

s. LIBRA ESTERLINA ; *e.* pound sterling ; *f.* livre sterling ; *g.* pfund-sterling ; *i.* lira sterlina.

s. LIBRE COMERCIO ; *e.* free trade ; *f.* libre commerce ; *g.* handelsfreiheit ; *i.* libero commercio.

f. LIBRE COMMERCE ; *e.* free trade ; *g.* handelsfreiheit ; *i.* libero commercio ; *s.* libre comercio.

e. LICENCE ; *f.* licence ; *g.* licenz ; *i.* licenza, permesso ; *s.* licencia, permiso.

f. LICENCE ; *e.* licence ; *g.* licenz ; *i.* licenza, permesso ; *s.* licencia, permiso.

s. LICENCIA, PERMISO ; *e.* licence ; *f.* licence ; *g.* licenz ; *i.* licenza, permesso.

g. LICENZ ; *e.* licence ; *f.* licence ; *i.* licenza, permesso ; *s.* licencia, permiso.

i. LICENZA, PERMESSO ; *e.* licence ; *f.* licence ; *g.* licenz ; *s.* licencia, permiso.

g. LICHTERGELD ; *e.* lighterage ; *f.* gabarage ; *i.* spese del disbarco ; *s.* gabarraje.

g. LIETAGE ; *e.* demurrage ; *f.* jours de planche ; *i.* soprastallia ; *s.* demora.

e. LIGHTHOUSE ; *f.* phare ; *g.* louchthurm ; *i.* faro ; *s.* faro.

e. LIGHTERAGE ; *f.* gabarage ; *g.* lichtergeld ; *i.* spese del disbarco ; *s.* gabarraje.

s. LIQUIDACION ; *e.* liquidation ; *f.* liquidation ; *g.* liquidation ; *i.* liquidazione.

e. LIQUIDATION ; *f.* liquidation ; *g.* liquidation ; *i.* liquidazione ; *s.* liquidacion.

f. LIQUIDATION ; *e.* liquidation ; *g.* liquidation ; *i.* liquidazione ; *s.* liquidacion.

g. LIQUIDATION ; *e.* liquidation ; *f.* liquidation ; *i.* liquidazione ; *s.* liquidacion.

i. LIQUIDAZIONE ; *e.* liquidation ; *f.* liquidation ; *g.* liquidation ; *s.* liquidacion.

i. LIRA STERLINA ; *e.* pound sterling ; *f.* livre sterling ; *g.* pfund-sterling ; *s.* libra esterlina.

f. LIVRE STERLING ; *e.* pound sterling ; *g.* pfund-sterling ; *i.* lira sterlina ; *s.* libra esterlina.

e. LOADING. *See* CARGO.

g. LOOTSE ; *e.* pilot ; *f.* pilote ; *i.* piloto ; *s.* piloto.

g. LOOTSENGEBÜHR ; *e.* pilotage ; *f.* pilotage ; *i.* pilotaggio ; *s.* pilotaje.

i. LORDO ; *e.* gross weight ; *f.* brât ; *g.* brutto ; *s.* bruto.

e. LUGGAGE ; *f.* bagage ; *g.* reisezeug ; *i.* bagaglie ; *s.* bagage.

M.

i. MAGAZZINO DI DEPOSITO ; *e.* customs warehouse (bonded warehouse) ; *f.* entrepôt ; *g.* entrepôt ; *s.* almacén de deposito.

g. MÄKLER ; *e.* broker ; *f.* courtier ; *i.* sensale corretore ; *s.* corredor.

e. MANIFEST ; *f.* manifeste ; *g.* manifest ; *i.* manifesto ; *s.* manifesto.

g. MANIFEST ; *e.* manifest ; *f.* manifeste ; *i.* manifesto ; *s.* manifesto.

f. MANIFESTE ; *e.* manifest ; *g.* manifest ; *i.* manifesto ; *s.* manifesto.

i. MANIFESTO ; *e.* manifest ; *f.* manifeste ; *g.* manifest ; *s.* manifesto.

s. MANIFESTO ; *e.* manifest ; *f.* manifeste ; *g.* manifest ; *i.* manifesto.

g. MANNSCHAFT ; *e.* crew ; *f.* équipage ; *i.* equipaggio ; *s.* tripulacion.

f. MARCHANDISES ; *e.* goods (merchandise) ; *g.* waaren ; *i.* mercanzia, mercie ; *s.* mercaderia, generos.

f. MARCHANDISES ÉPAVES; *e.* derelicts; *g.* verlassen waaren; *i.* merce derelitti; *s.* bienes abandonados.

i. MAREAPIENA; *e.* high water; *f.* haute marée; *g.* hochwasser; *s.* plena mar.

s. MARINA; *e.* navy; *f.* marine; *g.* marine; *i.* marina reala.

i. MARINA REALA; *e.* navy; *f.* marine; *g.* marine; *s.* marina.

i. MARINARO; *e.* sailor; *f.* matelot; *g.* matrose; *s.* marinero.

f. MARINE; *e.* navy; *g.* marine; *i.* marina reala; *s.* marina.

g. MARINE; *e.* navy; *f.* marine; *i.* marina reala; *s.* marina.

s. MARINERO; *e.* sailor; *f.* matelot; *g.* matrose; *i.* marinero.

e. MARKET PRICE; *f.* prix du marché; *g.* markt-preis; *i.* prezzo del mercato; *s.* precio del mercado.

g. MARKT-PREIS; *e.* market price; *f.* prix du marché; *i.* prezzo del mercato; *s.* precio del mercado.

e. MASTER (shipmaster); *f.* capitaine; *g.* schiffscapitän; *i.* capitano; *s.* capitan, patron.

e. MATE (of a ship); *f.* second; *g.* steuermann; *i.* secondo; *s.* contra maestre.

f. MATELOT; *e.* sailor; *g.* matrose; *i.* marinero; *s.* marinero.

g. MATROSE; *e.* sailor; *f.* matelot; *i.* marinero; *s.* marinero.

g. MEILE; *e.* mile; *f.* mille; *i.* miglio; *s.* milla.

s. MERCADERIA, GENEROS; *e.* goods (merchandise); *f.* marchandises; *g.* waaren; *i.* mercanzia, mercie.

i. MERCANZIA, MERCIE; *e.* goods (merchandise); *f.* marchandises; *g.* waaren; *s.* mercaderia, generos.

i. MERCE DERELITTI; *e.* derelicts; *f.* marchandises épaves; *g.* verlassen waaren; *s.* bienes abandonados.

i. MIGLIO; *e.* mile; *f.* mille; *g.* meile; *s.* milla.

e. MILE; *f.* mille; *g.* meile; *i.* miglio; *s.* milla.

s. MILLA; *e.* mile; *f.* mille; *g.* meile; *i.* miglio.

f. MILLE; *e.* mile; *g.* meile; *i.* miglio; *s.* milla.

i. MOLO; *e.* pier (landing-place); *f.* jetée, débarcadère; *g.* hafendamm; *s.* muelle.

i. MOLO; *e.* quay; *f.* quai; *g.* werfte; *s.* muelle.

i. MOLO; *e.* wharf; *f.* quai, chantier; *g.* werfte; *s.* muelle.

e. MONEY; *f.* argent; *g.* geld; *i.* danaro; *s.* dinero.

e. MORTGAGE; *f.* hypothèque; *g.* hypotheckenpfand; *i.* ipoteca; *s.* hipoteca.

i. MOSTRE; *e.* samples; *f.* échantillons; *g.* muster; *s.* muestras.

s. MUELLAGE; *e.* wharfage; *f.* quayage; *g.* kajengeld; *i.* diritto di ripaggio.

s. MUELLE; *e.* pier (landing-place); *f.* jetée, débarcadère;
g. hafendamm; *i.* molo.

s. MUELLE; *e.* wharf; *f.* quai, chantier; *g.* werfte; *i.* molo.

s. MUELLE; *e.* quay; *f.* quai; *g.* werfte; *i.* molo.

s. MUESTRAS; *e.* samples; *f.* échantillons; *g.* muster; *s.* mostre.

i. MULTA; *e.* fine (penalty); *f.* amende; *g.* geldstrafe;
s. multa.

s. MULTA; *e.* fine (penalty); *f.* amende; *g.* geldstrafe;
i. multa.

MUSTER; *e.* samples; *f.* échantillons; *i.* mostre; *s.* muestras.

N.

f. NAUFRAGE; *e.* shipwreck; *g.* schiffbruch; *i.* naufragio;
s. naufrage.

s. NAUFRAGE; *e.* shipwreck; *f.* naufrage; *g.* schiffbruch;
i. naufragio.

i. NAUFRAGIO; *e.* shipwreck; *f.* naufrage; *g.* schiffbruch;
s. naufrage.

i. NAVE NAUFRAGATO; *e.* wreck (of a vessel); *f.* varèche;
g. wrack; *s.* navio naufragado.

s. NAVEGABLE; *e.* navigable; *f.* navigable; *g.* schiffbar;
i. navigabile.

i. NAVIGABILE; *e.* navigable; *f.* navigable; *g.* schiffbar;
s. navegable.

e. NAVIGABLE; *f.* navigable; *g.* schiffbar; *i.* navigabile;
s. navegable.

f. NAVIGABLE; *e.* navigable; *g.* schiffbar; *i.* navigabile;
s. navegable.

s. NAVIGACION; *e.* navigation; *f.* navigation; *g.* schiffahrt;
i. navigazione.

e. NAVIGATION; *f.* navigation; *g.* schiffahrt; *i.* navigazione;
s. navigacion.

f. NAVIGATION; *e.* navigation; *g.* schiffahrt; *i.* navigazione;
s. navigacion.

i. NAVIGAZIONE; *e.* navigation; *f.* navigation; *g.* schiffahrt;
s. navigacion.

s. NAVIO NAUFRAGADO; *e.* wreck (of a vessel); *f.* varèche;
g. wrack; *i.* nave naufragato.

e. NAVY; *f.* marine; *g.* marine; *i.* marina reale; *s.* marina.

e. NET (weight); *f.* net; *g.* netto; *i.* netto; *s.* neto.

- f.* NET; *e.* net (weight); *g.* netto; *i.* netto; *s.* neto.
s. NETO; *e.* net (weight); *f.* net; *g.* netto; *i.* netto.
g. NETTO; *e.* net (weight); *f.* net; *i.* netto; *s.* neto.
i. NETTO; *e.* net (weight); *f.* net; *g.* netto; *s.* neto.
i. NOLEGGIATORE; *e.* charterer; *f.* affrèteur; *g.* befrachter;
s. cargador.
i. NOLEGGIO; *e.* affreightment; *f.* affrètement; *g.* befrachtung;
s. flete.
i. NOLEGGIO; *e.* freightage; *f.* affrètement; *g.* frachtgeld;
s. flete.

O.

- e.* OFFICE (place of business); *f.* bureau; *g.* comptoir; *i.* scrittorio, banco; *s.* escritorio, despatcho.
e. OFFICER (custom house officer); *f.* douanier; *g.* zollbeamter;
i. doganiere; *s.* guardia de aduana.
e. OFFICIAL VALUE; *f.* valeur officielle; *g.* amts-werth; *i.* valore ufficiale; *s.* valor oficial.
f. OUCE; *e.* ounce (weight); *g.* unze; *i.* oncia; *s.* onza.
i. ONCIA; *e.* ounce (weight); *f.* once; *g.* unze; *s.* onza.
s. ONZA; *e.* ounce (weight); *f.* once; *g.* unze; *i.* oncia.
e. OUNCE (weight); *f.* once; *g.* unze; *i.* oncia; *s.* onza.
e. OWNERS (shipowners); *f.* armateurs; *g.* rheder; *i.* armatori;
s. armadores.

P.

- e.* PACKAGES (of merchandise); *f.* colis; *g.* kollis; *i.* colli;
s. fardos.
g. PACKETE; *e.* parcels (of goods); *f.* paquets; *i.* particelle;
s. paquetes.
s. PAPEL MONEDA; *e.* paper money; *f.* papier-monnaie; *g.* papiergeld; *i.* carta moneta.
e. PAPER MONEY; *f.* papier-monnaie; *g.* papiergeld; *i.* carta moneta; *s.* papel moneda.
g. PAPIERGELD; *e.* paper money; *f.* papier-monnaie; *i.* carta moneta; *s.* papel moneda.
f. PAPIER-MONNAIE; *e.* paper money; *g.* papiergeld; *i.* carta moneta; *s.* papel moneda.
s. PAQUETES; *e.* parcels (of goods); *f.* paquets; *g.* packete;
i. particelle.
f. PAQUETS; *e.* parcels (of goods); *g.* packete; *i.* particelle;
s. paquetes.

e. PARCELS (of goods); *f.* paquets; *g.* packete; *i.* particelle;
s. paquetes.

i. PARTICELLE; *e.* parcels (of goods); *f.* paquets; *g.* packete;
s. paquetes.

s. PASAGERO; *e.* passenger; *f.* passager; *g.* passagier; *i.* pas-
sagiero.

f. PASSAGER; *e.* passenger; *g.* passagier; *i.* passagiero;
s. pasagero.

g. PASSAGIER; *e.* passenger; *f.* pasager; *i.* passagiero;
s. pasagero.

i. PASSAGIERO; *e.* passenger; *f.* passager; *i.* passagier;
s. pasagero.

e. PASSENGER; *f.* passager; *g.* passagier; *i.* passagicro;
s. pasagero.

e. PATENT; *f.* brevet, patente; *g.* patent; *i.* brevet; *s.* patente.

g. PATENT; *e.* patent; *f.* brevet, patente; *i.* brevet; *s.* patente.

s. PATENTE; *e.* patent; *f.* brevet, patente; *g.* patent;
i. brevet.

s. PATENTE DE CORSO; *e.* letter of marque; *f.* lettre de marque;
g. caperbrieff; *i.* patente di marco.

s. PATENTE DE NAVIGACION; *e.* register (ship's register);
f. régistre de vaisseau; *g.* schiffregister; *i.* registro di nave.

s. PATENTE DE SANIDAD; *e.* bill of health; *f.* patente de santé;
g. gesundheitspass; *i.* patente di salute.

f. PATENTE DE SANTÉ; *e.* bill of health; *g.* gesundheitspass;
i. patente di salute; *s.* patente de sanidad.

i. PATENTE DI MARCO; *e.* letter of marque; *f.* lettre de marque;
g. caperbrieff; *s.* patente de corso.

i. PATENTE DI SALUTE; *e.* bill of health; *f.* patente de santé;
gesundheitspass; *s.* patente de sanidad.

e. PATTERNS. *See* SAMPLES.

i. PAZIO, DIRITTI; *e.* customs duties; *f.* droits de douane;
g. zoll; *s.* derechos.

f. PÉAGE; *e.* toll; *g.* zoll; *i.* pedaggio; *s.* peage.

s. PEAGE; *e.* toll; *f.* péage; *g.* zoll; *i.* pedaggio.

i. PEDAGGIO; *e.* toll; *f.* péage; *g.* zoll; *s.* peage.

i. PERMESSO DI DOGANA; *e.* permit (customs permit); *f.* per-
mis, passavant; *g.* schiffspass; *s.* guia.

f. PERMIS, PASSAVANT; *e.* permis (customs permit); *g.* schiffs-
pass; *i.* permesso di dogana; *s.* guia.

e. PERMIT (customs permit); *f.* permis, passavant; *g.* schiffs-
pass; *i.* permesso di dogana; *s.* guia.

g. PFUND-STERLING; *e.* pound sterling; *f.* livre sterling;
i. lira sterlina; *s.* libra esterlina.

f. PHARE; *e.* lighthouse; *g.* leuchtthurm; *i.* faro; *s.* faro.

e. PIER (landing-place); *f.* jetée, débarcadère; *g.* hafendamm;
i. molo; *s.* muelle.

e. PILOT; *f.* pilote; *g.* lootse; *i.* piloto; *s.* piloto.

e. PILOTAGE; *f.* pilotage; *g.* lootsengebühr; *i.* pilotaggio;
s. pilotaje.

f. PILOTAGE; *e.* pilotage; *g.* lootsengebühr; *i.* pilotaggio;
s. pilotaje.

s. PILOTAGE; *e.* pilotage; *f.* pilotage; *g.* lootsengebühr;
i. pilotaggio.

i. PILOTAGGIO; *e.* pilotage; *f.* pilotage; *g.* lootsengebühr;
s. pilotaje.

f. PILOTE; *e.* pilot; *g.* lootse; *i.* piloto; *s.* piloto.

i. PILOTO; *e.* pilot; *f.* pilote; *g.* lootse; *s.* piloto.

s. PILOTO; *e.* pilot; *f.* pilote; *g.* lootse; *i.* piloto.

s. PIPA; *e.* butt (wine-cask); *f.* botte; *g.* weinfass; *i.* botte.

s. PLENA MAR; *e.* high water; *f.* haute marée; *g.* hochwasser;
i. mareapiena.

s. PODER; *e.* power of attorney; *f.* pouvoir; *g.* vollmacht;
i. procura.

i. POLIZZA DI CARICO; *e.* bill of lading; *f.* connaissement;
g. connossement; *s.* conocimiento.

e. PORT. See Harbour.

f. PORT, HAVRE; *e.* harbour; *g.* hafen; *i.* porto; *s.* puerto.

f. PORTAGE; *e.* porterage; *g.* kägerlohn; *i.* porto di facchini;
s. porte.

s. PORTE; *e.* porterage; *f.* portage; *g.* kägerlohn; *i.* porto di facchini;
facchini.

e. Porterage; *f.* portage; *g.* kägerlohn; *i.* porto di facchini;
s. porte.

i. PORTO; *e.* harbour; *f.* port, havre; *g.* hafen; *s.* puerto.

i. PORTO DI FACCHINI; *e.* porterage; *f.* portage; *g.* kägerlohn;
s. porte.

e. POUND STERLING; *f.* livre sterling; *g.* pfund-sterling;
i. lira sterlina; *s.* libra esterlina.

f. POUVOIR; *e.* power of attorney; *g.* vollmacht; *i.* procura;
s. poder.

e. POWER OF ATTORNEY; *f.* pouvoir; *g.* vollmacht; *i.* procura;
s. poder.

s. PRECIO; *e.* price; *f.* prix; *g.* preis; *i.* prezzo.

s. PRECIO-CORRIENTE; *e.* price current; *f.* prix courant;
g. preis-verzeichniss; *i.* prezzo corrente.

s. PRECIO DEL MERCADO; *e.* market price; *f.* prix du marché;
g. markt preis; *s.* prezzo del mercato.

g. PREIS; *e.* price; *f.* prix; *i.* prezzo; *s.* precio.

g. PREIS-VERZEICHNISS; *e.* price current; *f.* prix courant;
i. prezzo corrente; *s.* precio-corriente.

i. PREMIO; *e.* premium; *f.* prime; *g.* aufgeld, agio; *s.* premio.

s. PREMIO; *e.* premium; *f.* prime; *g.* aufgeld, agio; *i.* premio.

e. PREMIUM; *f.* prime; *g.* aufgeld, agio; *i.* premio; *s.* premio.

i. PREZZO; *e.* price; *f.* prix; *g.* preis; *s.* precio.

i. PREZZO DEL MERCATO; *e.* market price; *f.* prix du marché;
g. markt-preis; *s.* precio del mercado.

i. PREZZO CORRENTE; *e.* price current; *f.* prix courant;
g. preis-verzeichniss; *s.* precio-corriente.

e. PRICE; *f.* prix; *g.* preis; *i.* prezzo; *s.* precio.

e. PRICE CURRENT; *f.* prix courant; *g.* preis-verzeichniss;
i. prezzo corrente; *s.* precio-corriente.

e. PRIME; *f.* chapeau; *g.* primgeld; *i.* cappa, primaggio;
s. capa.

f. PRIME; *e.* premium; *g.* aufgeld, agio; *i.* premio;
s. premio.

g. PRIMGELD; *e.* prime; *f.* chapeau; *i.* cappa, primaggio;
s. capa.

f. PRIX; *e.* price; *g.* preis; *i.* prezzo; *s.* precio.

f. PRIX COURANT; *e.* price current; *g.* preis-verzeichniss;
i. prezzo corrente; *s.* precio-corriente.

f. PRIX DU MARCHÉ; *e.* market price; *g.* markt-preis; *i.* prezzo
del mercato; *s.* precio del mercado.

i. PROCURA; *e.* power of attorney; *f.* pouvoir; *g.* vollmacht;
s. poder.

s. PUERTO; *e.* harbour; *f.* port, havre; *g.* hafen; *i.* porto.

Q.

f. QUAI; *e.* quay; *g.* werfte; *i.* molo; *s.* muelle.

f. QUAI, CHANTIER; *e.* wharf; *g.* werfte; *i.* molo; *s.* muelle.

f. QUARANTAINE; *e.* quarantine; *g.* quarantane; *i.* quarantina;
s. curantena.

g. QUARANTANE; *e.* quarantine; *f.* quarantaine; *i.* quaran-
tina; *s.* curantena.

i. QUARANTINA; *e.* quarantine; *f.* quarantaine; *g.* quarantane; *s.* curantena.

e. QUARANTINE; *f.* quarantaine; *g.* quarantane; *i.* quarantina; *s.* curantena.

e. QUAY; *f.* quai; *g.* werfte; *i.* molo; *s.* muelle.

f. QUAYAGE; *e.* wharfage; *g.* kajengeld; *i.* diritto di ripaggio; *s.* muellage.

i. QUIETANZA, RICEVUTA; *e.* quittance (release, receipt); *f.* quittance, reçu; *g.* quittung, empfangschein; *s.* recibo.

e. QUINTAL (100 pounds weight); *f.* quintal; *g.* zentner; *i.* quintale; *s.* quintal.

f. QUINTAL; *e.* quintal (100 pounds weight); *g.* zentner; *i.* quintale; *s.* quintal.

s. QUINTAL; *e.* quintal (100 pounds weight); *f.* quintal; *g.* zentner; *i.* quintale.

i. QUINTALE; *e.* quintal (100 pounds weight); *f.* quintal; *g.* zentner; *s.* quintal.

e. QUITTANCE (release, receipt); *f.* quittance, reçu; *g.* quittung, empfangschein; *i.* quietanza, ricevuta; *s.* recibo.

f. QUITTANCE, REÇU; *e.* quittance (release, receipt); *g.* quittung, empfangschein; *i.* quietanza, ricevuta; *s.* recibo.

g. QUITTUNG, EMPFANGSCHEIN; *e.* quittance (release, receipt); *f.* quittance, reçu; *i.* quietanza, ricevuta; *s.* recibo.

R.

e. RAILROAD; *f.* chemin de fer; *g.* eisenbahn; *i.* strada ferrata; *s.* camino de hierro.

e. RATE OF EXCHANGE; *f.* cours; *g.* wechsellcours; *i.* corsi di cambi; *s.* cambio.

e. REBATE; *f.* escompte; *g.* sconto; *i.* sconto; *s.* descuento.

e. RECEIPT. *See* QUITTANCE.

s. RECIBO; *e.* quittance (release, receipt); *f.* quittance, reçu; *g.* quittung, empfangschein; *i.* quietanza, ricevuta.

e. REGISTER (ship's register); *f.* registre de vaisseau; *g.* schiffregister; *i.* registro di nave; *s.* patente de navigacion.

f. RÉGISTRE DE VAISSEAU; *e.* register (ship's register); *g.* schiffregister; *i.* registro di nave; *s.* patente de navigacion.

i. REGISTRO DI NAVE; *e.* register (ship's register); *f.* registre de vaisseau; *g.* schiffregister; *s.* patente de navigacion.

g. REISEZENG; *e.* luggage; *f.* bagage; *i.* bagaglie; *s.* bagage.

e. RELEASE. *See* QUITTANCE.

s. REMESA; *e.* remittance; *f.* remise; *g.* rimesse; *i.* rimessa.

f. REMISE; *e.* remittance; *g.* rimesse; *i.* rimessa; *s.* remesa.

e. REMITTANCE; *f.* remise; *g.* rimesse; *i.* rimessa; *s.* remesa.

s. RESACA; *e.* drawback; *f.* restitution; *g.* rückzoll; *i.* difalco.

f. RESTITUTION; *e.* drawback; *g.* rückzoll; *i.* difalco;
s. resaco.

g. RHEDER; *e.* owners (shipowners); *f.* armateurs; *i.* armatori; *s.* armadores.

i. RIMESSA; *e.* remittance; *f.* remise; *g.* rimesse; *s.* remesa.

g. RIMESSE; *e.* remittance; *f.* remise; *i.* rimessa; *s.* remesa.

g. RÜCKZOLL; *e.* drawback; *f.* restitution; *i.* difalco; *s.* resaca.

S.

e. SAILOR; *f.* matelot; *g.* matrose; *i.* marinaio; *s.* marinero.

e. SAILING-VESSEL; *f.* voilier; *g.* segelschiff; *i.* veliero;
s. veliero.

e. SALVAGE; *f.* sauvetage; *g.* bergelohn; *i.* salvamento;
s. salvamiento.

i. SALVAMENTO; *e.* salvage; *f.* sauvetage; *g.* bergelohn;
s. salvamiento.

s. SALVAMIENTO; *e.* salvage; *f.* sauvetage; *g.* bergelohn;
i. salvamento.

e. SAMPLES; *f.* échantillons; *g.* muster; *i.* mostre; *s.* muestras.

f. SAUVETAGE; *e.* salvage; *g.* bergelohn; *i.* salvamento;
s. salvamiento.

i. SAVORRA; *e.* ballast; *f.* lest; *g.* ballast; *s.* bala.

i. SBARCO; *e.* landing of goods; *f.* déchargement, débarquement; *g.* landung; *s.* desembarco.

g. SCHIEDSRICHTER; *e.* arbitration; *f.* arbitrage; *i.* arbitrato;
s. arbitramento.

g. SCHIFFBRUCH; *e.* shipwreck; *f.* naufrage; *i.* naufragio;
s. naufrage.

g. SCHIFFMÄCKLER; *e.* ship-broker; *f.* courtier maritime;
i. sensale di bastimenti; *s.* corredor.

g. SCHIFFBAR; *e.* navigable; *f.* navigable; *i.* navigabile;
s. navegable.

g. SCHIFFFAHRT; *e.* navigation; *f.* navigation; *i.* navigazione;
s. navigacion.

g. SCHIFFREGISTER; *e.* register (ship's register); *f.* registre de vaisseau; *i.* registro di nave; *s.* patente de navigacion.

g. SCHIFFSCAPITAN; *e.* master (shipmaster); *f.* capitaine; *i.* capitano; *s.* capitan, patron.

g. SCHIFFSPASS; *e.* permit (customs permit); *f.* permis, pass-avant; *i.* permesso di dogana; *s.* guia.

g. SCHMUGGELEI; *e.* smuggling; *f.* contrebande; *i.* contrabando; *s.* contrebando.

i. SCOLO; *e.* leakage; *f.* coulage; *g.* leccage; *s.* derrame.

i. SCONTO; *e.* rebate; *f.* escompte; *g.* disconto; *s.* dissuento.

i. SCRITTORIO, BANCO; *e.* office (place of business); *f.* bureau; *g.* comptoir; *s.* escritorio, despacho.

e. SEAMAN. *See* SAILOR.

e. SEAWORTHY; *f.* vaisseau navigable; *g.* seefest; *i.* atto a navigare; *s.* a proposito para navegar.

f. SECOND; *e.* mate (of a ship); *g.* steuermann; *i.* secondo; *s.* contra maestre.

i. SECONDO; *e.* mate (of a ship); *f.* second; *g.* steuermann; *s.* contra maestre.

g. SEEKARTEN; *e.* charts (sea-charts); *f.* chartes; *i.* carte marine; *s.* cartas de marear.

g. SEEFEST; *e.* seaworthy; *f.* vaisseau navigable; *i.* atto a navigare; *s.* a proposito para navegar.

g. SEEREISE; *e.* voyage; *f.* voyage; *i.* viaggio; *s.* viage.

g. SEGELSCHIFF; *e.* sailing-vessel; *f.* voilier; *i.* veliero; *s.* veliero.

e. SEIZURE. *See* CONFISCATION.

i. SENSAL CORRETORE; *e.* broker; *f.* courtier; *g.* mäkler; *s.* corredor.

i. SENSAL DI BASTIMENTI; *e.* ship-broker; *f.* courtier maritime; *g.* schiffmäckler; *s.* corredor.

i. SENSARIA; *e.* brokerage; *f.* courtage; *g.* courtage; *s.* cor-
retage.

e. SHIP-BROKER; *f.* courtier maritimes; *g.* schiffmäckler; *i.* sensale di bastimenti; *s.* corredor.

e. SHIPMASTER. *See* MASTER.

e. SHIPMENT; *f.* embarquement; *g.* einschiffung; *i.* imbarcamento; *s.* encargamiento.

e. SHIPWRECK; *f.* naufrage; *g.* schiffbruch; *i.* naufragio; *s.* naufrage.

e. SMUGGLING; *f.* contrebande; *g.* schmuggelei; *i.* contra-
bando; *s.* contrebando.

i. SOPRASTALLIA; *e.* demurrage; *f.* jours de planche; *g.* lie-tage; *s.* demora.

i. SPESE DEL DISBARCO; *e.* lighterage; *f.* gabarage; *g.* lichtergeld; *s.* gabarraje.

g. STANHOLZ; *e.* dunnage; *f.* bois d'arrimage; *i.* legno da stivare; *s.* leña de estiva.

g. STEUERMANN; *e.* mate (of a ship); *f.* second; *i.* secondo; *s.* contra maestre.

i. STRADA FERRATA; *e.* railroad; *f.* chemin de fer; *g.* eisenbahn; *s.* camino de hierro.

g. STRANDGUT; *e.* flotsam; *f.* épaves; *i.* galleggianti; *s.* generos que flotan.

T.

i. TARA; *e.* tare; *f.* tare; *g.* tare; *s.* tara.

s. TARA; *e.* tare; *f.* tare; *g.* tare; *i.* tara.

e. TARE; *f.* tare; *g.* tare; *i.* tara; *s.* tara.

f. TARE; *e.* tare; *g.* tare; *i.* tara; *s.* tara.

g. TARE; *e.* tare; *f.* tare; *i.* tara; *s.* tara.

f. TARIF; *e.* tariff; *g.* tarif; *i.* tariffa; *s.* tarifa.

g. TARIF; *e.* tariff; *f.* tarif; *i.* tariffa; *s.* tarifa.

s. TARIFA; *e.* tariff; *f.* tarif; *g.* tarif; *i.* tariffa.

e. TARIFF; *f.* tarif; *g.* tarif; *i.* tariffa; *s.* tarifa.

i. TARIFFA; *e.* tariff; *f.* tarif; *g.* tarif; *s.* tarifa.

e. TOLL; *f.* péage; *g.* zoll; *i.* pedaggio; *s.* peage.

g. TOLLHAUS; *e.* custom-house; *f.* douane; *i.* dogana; *s.* aduana.

e. TON; *f.* tonneau; *g.* tonne; *i.* tonellata; *s.* tonelada.

s. TONELADA; *e.* ton; *f.* tonneau; *g.* tonne; *i.* tonellata.

s. TONELAJE; *e.* tonnage (ship's tonnage); *f.* tonnage; *g.* lastfärligkeit; *i.* tonellagio.

i. TONELLAGIO; *e.* tonnage (ship's tonnage); *f.* tonnage; *g.* lastfärligkeit; *s.* tonelaje.

i. TONELLATA; *e.* ton; *f.* tonneau; *g.* tonne; *s.* tonelada.

e. TONNAGE (ship's tonnage); *f.* tonnage; *g.* lastfärligkeit; *i.* tonellagio; *s.* tonelaje.

f. TONNAGE; *e.* tonnage (ship's tonnage); *g.* lastfärligkeit; *i.* tonellagio; *s.* tonelaje.

g. TONNE; *e.* ton; *f.* tonneau; *i.* tonellata; *s.* tonelada.

f. TONNEAU; *e.* ton; *g.* tonne; *i.* tonellata; *s.* tonelada.

s. TRIPULACION; *e.* crew; *f.* équipage; *g.* mannschaft; *i.* equipaggio.

U.

e. UNDERWRITER; *f.* assureur; *g.* assecurant; *i.* assicuratore; *s.* asegurador.

g. UNZE; *e.* ounce; *f.* once; *i.* oncia; *s.* onza.

V.

f. VAISSEAU NAVIGABLE; *e.* seaworthy; *g.* seefest; *i.* atto a navigare; *s.* a proposito para navegar.

f. VALEUR; *e.* value; *g.* werth; *i.* valore; *s.* valor.

f. VALEUR OFFICIELLE; *e.* official value; *g.* amts-werth; *i.* valore ufficiale; *s.* valor oficial.

s. VALOR; *e.* value; *f.* valeur; *g.* werth; *i.* valore.

s. VALOR OFICIAL; *e.* official value; *f.* valeur officielle; *g.* amts-werth; *i.* valore ufficiale.

i. VALORE; *e.* value; *f.* valeur; *g.* werth; *s.* valor.

i. VALORE UFFICIALE; *e.* official value; *f.* valeur officielle; *g.* amts-werth; *s.* valor oficial.

s. VALUACION; *e.* valuation; *f.* evaluation; *g.* ausschlag; *i.* valuazione.

e. VALUATION; *f.* evaluation; *g.* ausschlag; *i.* valuazione; *s.* valuacion.

i. VALUAZIONE; *e.* valuation; *f.* evaluation; *g.* ausschlag; *s.* valuacion.

e. VALUE; *f.* valeur; *g.* werth; *i.* valore; *s.* valor.

f. VARÈCHE; *e.* wreck (of a vessel); *g.* wrack; *i.* nave naufragato; *s.* navio naufragado.

i. VELIERO; *e.* sailing-vessel; *f.* voilier; *g.* segelschiff; *s.* veliero.

s. VELIERO; *e.* sailing-vessel; *f.* voilier; *g.* segelschiff; *i.* veliero.

g. VERKAUF-BRIEF; *e.* bill of sale; *f.* lettre de vente; *i.* lettera di vendita; *s.* letra de venta.

g. VERLASSEN WAAREN; *e.* derelicts; *f.* marchandises épaves; *i.* merce derelitti; *s.* bienes abandonados.

s. VIAGE; *e.* voyage; *f.* voyage; *g.* seereise; *i.* viaggio.

i. VIAGGIO; *e.* voyage; *f.* voyage; *g.* seereise; *s.* viage.

f. VOILIER; *i.* sailing-vessel; *g.* segelschiff; *i.* veliero; *s.* veliero.

g. VOLLMACHT; *e.* power of attorney; *f.* pouvoir; *i.* procura; *s.* poder.

e. VOYAGE; *f.* voyage; *g.* seereise; *i.* viaggio; *s.* viage.

f. VOYAGE; *e.* voyage; *g.* seereise; *i.* viaggio; *s.* viage.

W.

g. WAAREN; *e.* goods (merchandise); *f.* marchandises; *i.* mercanzia, mercie; *s.* mercaderia, generos.

g. WECHSEL, SCHULDSCHEIN; *e.* bill of exchange; *f.* lettre de change; *i.* lettera di cambio; *s.* letra de cambio.

g. WECHSELCOURS; *e.* rate of exchange; *f.* cours; *i.* corso di cambi; *s.* cambio.

g. WEINFASS; *e.* butt (wine-cask); *f.* botte; *i.* botte; *s.* pipa.

g. WERFTE; *e.* quay; *f.* quai; *i.* molo; *s.* muelle.

g. WERFTE; *e.* wharf; *f.* quai, chantier; *i.* molo; *s.* muelle.

g. WERTH; *e.* value; *f.* valeur; *i.* valore; *s.* valor.

e. WHARF; *f.* quai, chantier; *g.* werfte; *i.* molo; *s.* muelle.

e. WHARFAGE; *f.* quayage; *g.* kajengeld; *i.* diritto di ripaggio; *s.* muellage.

g. WRACK; *e.* wreck (of a vessel); *f.* varèche; *i.* nave naufragato; *s.* navio naufragado.

e. WRECK (of a vessel); *f.* varèche; *g.* wrack; *i.* nave naufragato; *s.* navio naufragado.

Z.

g. ZENTNER; *e.* quintal (100 pounds weight); *f.* quintal; *i.* quintale; *s.* quintal.

g. ZOLL; *e.* customs duties; *f.* droits de douane; *i.* pazio, diritti; *s.* derechos.

g. ZOLL; *e.* toll; *f.* péage; *i.* pedaggio; *s.* peage.

g. ZOLLBEAMTER; *e.* officer (custom-house officer); *f.* douanier; *i.* doganiere; *s.* guardia de aduana.

PART VII.
APPENDIX.

THE
MONEY, WEIGHTS, AND MEASURES
OF THE PRINCIPAL COMMERCIAL NATIONS,
WITH THE BRITISH EQUIVALENTS.

THE MONEY OF THE PRINCIPAL COMMERCIAL NATIONS,
AND ITS EQUIVALENT IN STERLING, AND THE PAR
RATE OF EXCHANGE WITH LONDON.

ABYSSINIA.

4 divanis = 1 harf = $2\frac{4}{3}d$.

23 harfs = 1 dollar or pataka = 4s. 2d.

The country has no coinage of its own; large payments are made in gold ingots. Since the British expedition, sovereigns and Indian rupees have been in circulation.

ALGIERS.

Same as France.

ARABIA.

80 caveers = 1 piastre or Mocha dollar = 3s. 5d.

ARGENTINE REPUBLIC.*

100 centavos = 1 dollar or patacon = 4s. 2d.

The circulating medium is an inconvertible paper currency. Gold and silver coin is scarce, and their values subject to frequent fluctuations, as is the rate of exchange on Europe.

AUSTRALIA.

Same as Great Britain.

* Customs duties are payable in gold.

AUSTRIA (AUSTRO-HUNGARY).

100 new kreuzers = 1 florin = 1s. 11½*d*.

Par rate of exchange on London, 10 florins 36 kreuzers to the £ sterling.

Silver is the standard currency. The gold coins are pieces of 4 and 8 florins, or gulden, which are of the same weight and fineness as the French gold pieces of 10 and 20 francs.

BAVARIA.

Same as Germany.

BELGIUM.

Same as France.

BOLIVIA.

100 centavos = 1 dollar or peso fuerte = 4s. 2*d*.

Since the year 1830 the silver coinage of the mint of Potosi has been 25 per cent. below the standard value. Changes in the fineness and weight of the coin issued have been frequent. The value of the depreciated dollar is about 3s. sterling.

BRAZIL.

1000 reas = 1 milrea = 1s. 11*d*.

Gold pieces of 20 milreas = £2 4s. 10*d*.

CANADA, DOMINION OF.

100 cents = 1 dollar = 4s. 1½*d*. Par exchange, 4 dollars 86½ cents to the £ sterling.

British and United States coinage is in general use.

CAPE OF GOOD HOPE.

Same as Great Britain.

CEYLON.

Money is usually reckoned as in Great Britain. British silver and Spanish dollars are in general use.

CHILI.

100 cents = 1 dollar or peso fuerte = 4s. 2*d*.

The currency is a forced paper currency of fluctuating value.

CHINA.

1000 cash = 100 candareens = 10 maces = 1 tael. The value fluctuates with the rate of exchange.

The cash is the only coin used, 700 to 800 being equal to a dollar. The teal, mace, and candareen are not coins, but money weights. Foreign merchants keep their accounts in dollars and cents. In exchange the dollar, of the par value of 4s. 2*d*., is reckoned at about 4s. 8*d*., making the value of the teal about 6s. 6*d*., the par value being only 5s. 8*d*.

COCHIN CHINA (ANAM).

600 sapeks or cash = 10 mas = 1 quan or string = about 2s. 10*d*.

COLUMBIA, UNITED STATES OF.

100 centavos = 1 dollar or peso fuerte = 4s. 2*d*.

The gold coins are the condor of 10 pesos and the double condor of 20 pesos, value respectively £1 19s. 7*d*. and £3 19s. 2*d*.

DENMARK.

100 öre = 1 kronor = 1s. 1½*d*.

The gold coins are the gold crown of 10 kronors, value 10s. 11½*d*., and the double kronor, value £1 1s. 11½*d*.

EGYPT.

40 paras = 1 piastre = 2½*d*. Par exchange, 100 piastres to the £ sterling.

Mexican and Spanish dollars are in circulation, at the rate of 20 piastres to the dollar.

FRANCE.

100 centimes = 1 franc = $9\frac{1}{2}d.$ Par exchange, 25 francs 22 centimes to the £ sterling.

The gold coins are the 40, 20, and 10 franc pieces, value respectively £1 11s. $8\frac{1}{4}d.$, 15s. $10\frac{1}{2}d.$, and 7s. $11\frac{1}{4}d.$

GERMAN EMPIRE.

100 pfennings = 1 mark = $11\frac{3}{4}d.$ Par exchange, 20 marks $42\frac{1}{2}$ pfennings to the £ sterling.

Gold pieces of 20 marks = 19s. $7d.$; of 10 marks = 9s. $9\frac{1}{2}d.$; of 5 marks = 4s. $10\frac{3}{4}d.$

GREAT BRITAIN.

12 pence = 1 shilling.

20 shillings = 1 pound sterling.

The gold coins are the sovereign of 20 shillings, and the half-sovereign of 10 shillings.

GREECE.

100 lepta = 1 drachma = $8\frac{1}{2}d.$ Par exchange, 28 drachmas 17 lepta to the £ sterling.

Gold coin: the 20 drachmi piece = 14s. $6d.$

The currency is a forced paper currency of fluctuating value.

HAYTI.

100 cents = 1 dollar or gourde = $3\frac{1}{4}d.$

The currency consists of the depreciated paper dollar or gourde.

HOLLAND.

See "The Netherlands."

INDIA.

192 pice = 16 annas = 1 rupee = 1s. $10\frac{1}{4}d.$ Par exchange, 1s. $10\frac{1}{4}d.$ per rupee.

Lac of rupees, 100,000 = £9270.

The gold coins are the mohur = £1 9s. 2½*d.*, and the pagoda star = 7s.

The recent depreciation in the value of silver has caused great fluctuation in the rate of exchange.

ITALY.*

100 centisimi = 1 lira = 9½*d.* Par exchange, 25 liras 22 centisimi to the £ sterling.

The currency is an inconvertible paper currency of fluctuating value. The average during 1878-9 was about 10 per cent. discount, and exchange on London in currency about 27 liras 50 centisimi to the £ sterling.

JAPAN.

100 sen = 1 yen = 4s. 2*d.*

The 1 yen silver piece is the coin of commerce.

The gold coins are the 20, 10, 5, and 2 yen pieces, value respectively £4 3s. 4*d.*, £2 1s. 8*d.*, £1 0s. 10*d.*, 8s. 4*d.*, and 4s. 2*d.*

JAVA.

Same as The Netherlands.

MALTA.

240 grains = 12 tari = 1 scudo = 1s. 7½*d.*

Accounts are kept by the Government in British money.

MEXICO.

100 centavos = 1 dollar or peso = 4s. 2*d.* Par exchange, 4 dollars 82 centimos per £ sterling.

The gold coins are the doubloon, or onza of 16 dollars, the half and quarter doubloon, and the 2 dollar pieces.

MOROCCO.

690 flues = 40 blankeels = 10 onces = 1 mitkeel = 3s. 1*d.*

Commercial accounts are kept in dollars and cents. 54 blankeels are the equivalent to the Spanish dollar.

* Customs duties are payable in specie.

MAURITIUS.

100 cents = 1 dollar = 4s. 2d.

Accounts are kept by the Government in British money.

NETHERLANDS, THE.

100 cents = 1 florin or guilder = 1s. 8d. Par exchange, 12 florins to the £ sterling.

The gold coins are the 10 and 5 guilder pieces, value respectively 16s. 6d. and 8s. 3d.

NEW BRUNSWICK, NEWFOUNDLAND, AND NOVA SCOTIA.

Same as Canada.

NEW SOUTH WALES, AND NEW ZEALAND.

Same as Great Britain.

NORWAY.

100 öre = 1 kroner = 1s. 1½d.

4 kroners = 1 specie daler = 4s. 5½d.

The gold coins are the 20 kroner or 5 specie daler, and the 10 kroner or 2½ specie daler pieces.

PERSIA.

1000 dinars = 20 shahis = 1 kerhan = 10d.

Gold coins : the toman, or 10 kerhan piece = 8s. 4d., and the 5 kerhan piece = 4s. 2d.

PERU.

100 centavos = 1 sol = 3s. 1d.

The gold coins are the 20, 10, 5, and 1 sol pieces.

PHILIPPINE ISLANDS.

Same as Spain.

RUSSIA.

100 copecks = 1 silver ruble = 3s. 2d.

The currency is a forced paper currency subject to fluctuation.

SPAIN.

100 centesimos = 1 peseta = $9\frac{3}{4}d.$

The gold coins are pieces of 100, 50, 20, 10, and 5 pesetas, equivalent respectively to £4, £2, 16s., 8s., and 4s.

SWEDEN.

100 öre = 1 riks-daler or kronor = 1s. $1\frac{1}{2}d.$ Exchange, 18 kroners 5 öre to the £ sterling.

The gold coins are the 20 and 10 kronor pieces, equivalent respectively to £1 1s. $11\frac{1}{2}d.$, and 10s. $11\frac{3}{4}d.$

SWITZERLAND.

Same as France.

TRIPOLI.

40 paras = 1 piastre = $2\frac{1}{2}d.$

20 piastres = 1 mahhub = 4s. 2d.

TUNIS.

48 fels = 16 karubs = 1 piastre = $5\frac{5}{8}d.$

TURKEY.

40 paras = 1 piastre = $2\frac{4}{5}d.$ Par exchange, 125 piastres to the £ sterling.

100 piastres = 1 lira or Turkish pound = 18s.

UNITED STATES.

100 cents = 1 dollar = 4s. $1\frac{1}{4}d.$ Par exchange, 4 dollars $86\frac{65}{100}$ cents to the £ sterling.

The gold coins are 20, 10, 5, and 3 dollar pieces, equivalent to £4 2s. 1d., £2 1s. $0\frac{1}{2}d.$, £1 0s. $6\frac{1}{4}d.$, and 12s. $3\frac{3}{4}d.$

URUGUAY, REPUBLIC OF.*

100 centavos = 1 dollar or patacon = 4s. 2d.

The currency is an inconvertible paper currency subject to great fluctuations.

* Customs duties are payable in gold.

VENEZUELA.

100 centavos = 1 dollar or venezolano = 4s. 2d.

The gold coins are the 20, 10, and 5 venezolano pieces.

WEST INDIA ISLANDS (BRITISH).

100 cents = 1 dollar = 4s. 2d.

The gold coins are those of Great Britain, the United States, and the South American Republics.

The Government accounts are kept in sterling.

THE VALUE STERLING OF FOREIGN MONEY.

No.	FRANCE. BELGIUM.	THE GERMAN EMPIRE.	AUSTRIA.	HOLLAND.	THE UNITED STATES.	INDIA.
	Francs.	Marks.	Florins.	Florins, or Gulden.	Dollars.	Rupees.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	0 0 9½	0 0 11¾	0 1 11½	0 1 8	0 4 1½	0 1 10½
2	0 1 7	0 1 11½	0 3 10½	0 3 4	0 8 2½	0 3 8½
3	0 2 4½	0 2 11½	0 5 9½	0 5 0	0 12 3½	0 5 6½
4	0 3 2	0 3 11	0 7 8½	0 6 8	0 16 5	0 7 5
5	0 3 11½	0 4 10¾	0 9 8	0 8 4	1 0 6½	0 9 3½
6	0 4 9	0 5 10½	0 11 7	0 10 0	1 4 7½	0 11 1½
7	0 5 6½	0 6 10¼	0 13 6½	0 11 8	1 8 9	0 12 11½
8	0 6 4	0 7 10	0 15 5½	0 13 4	1 12 10½	0 14 10
9	0 7 1½	0 8 9¾	0 17 4½	0 15 0	1 16 11½	0 16 8½
10	0 7 11½	0 9 9½	0 19 3¾	0 16 8	2 1 0½	0 18 6½
20	0 15 10½	0 19 7	1 18 7½	1 13 4	4 2 1	1 17 1
30	1 3 9½	1 9 4½	2 17 11	2 10 0	6 3 1½	2 15 7½
40	1 11 8½	1 19 2	3 17 2¾	3 6 8	8 4 2	3 14 2
50	1 19 7¾	2 8 11½	4 16 6½	4 3 4	10 5 2½	4 12 8½
60	2 7 6¾	2 18 9	5 15 10	5 0 0	12 6 3	5 11 3
70	2 15 6	3 8 6½	6 15 1½	5 16 8	14 7 3½	6 9 9½
80	3 3 5½	3 18 4	7 14 5½	6 13 4	16 8 4	7 8 4
90	3 11 4½	4 8 1½	8 13 9	7 10 0	18 9 4½	8 6 10½
100	3 19 3½	4 17 11	9 13 0½	8 6 8	20 10 5	9 5 5
200	7 18 7	9 15 10	19 6 1½	16 13 4	41 0 10	18 10 10
300	11 17 10¾	14 13 9	28 19 2	25 0 0	61 11 3	27 16 3
400	15 17 2½	19 11 8	38 12 2½	33 6 8	82 1 8	37 1 8
500	19 16 6	24 9 7	48 5 3	41 13 4	102 12 1	46 7 1
600	23 15 9½	29 7 6	57 18 4	50 0 0	123 2 6	55 12 6
700	27 15 1	34 5 5	67 11 4	58 6 8	143 12 11	64 17 11
800	31 14 4¾	39 3 4	77 4 5	66 13 4	164 3 4	74 3 4
900	35 13 8½	44 1 3	86 17 6	75 0 0	184 13 9	83 8 9
1000	39 13 0½	48 19 2	96 10 6	83 6 8	205 4 2	92 14 2
10000	396 10 2½	489 11 8	965 5 0	833 5 8	2052 1 8	927 1 8

These calculations are made at the *par* rate of exchange.

BRITISH WEIGHTS AND MEASURES.

TROY WEIGHT.

			Pennywts.		Grains.
	Ounces.	1	=		24
Pound.	1	=	20	=	480
1	= 12	=	240	=	5760
lb.	oz.		dwt.		gr.

A carat = 4 grains. 100 Troy ounces = 109½ ounces avoirdupois.

This weight is used in weighing gold, silver, and jewels; also in philosophical experiments. In determining the purity of gold, the gold is supposed to be divided into 24 carats, and if pure, is said to be 24 carats fine: if there be 23 carats of pure gold, and 1 of alloy, it is said to be 23 carats fine, and so on. Diamonds and pearls are also weighed by carats of 4 grains, but 4 diamond grains are equal only to 3·2 Troy grains. A Troy ounce is equal to 160 diamond carats.

AVOIRDUPOIS WEIGHT.

AVOIRDUPOIS WEIGHT.										
				Ounces.		Drams.		Troy Grains.		
				Pounds.	1	=	16	=	27 $\frac{1}{2}$	
				1	=	16	=	256	= 7000	
Quarters.				1	=	14	=	224	= 3584	
Hundwts.				1	=	28	=	448	= 7168	
Tons.	1	=	4	=	8	=	112	=	1792	= 28672
1	=	20	=	80	=	160	=	2240	=	35840
<i>Ton.</i>	<i>cwt.</i>	<i>qr.</i>		<i>st.</i>		<i>lb.</i>		<i>oz.</i>	<i>dr.</i>	<i>gr.</i>

A cental, 100 pounds. 100 ounces avoirdupois = $91\frac{7}{8}$ ounces troy.

A standard imperial pound avoird. is equal to the weight of 27.727 cubic inches of distilled water (or one-tenth of a gallon) at the temperature of 62° Fahrenheit, and when the haremeter stands at 30 inches. This weight is used for all commodities except gold, silver, and precious stones.

The APOTHECARIES' WEIGHT is now the same as the Avoirdupois.

LINEAL MEASURE, OR MEASURE OF LENGTH.

			Poles.	Yards.	Feet.	Inches.
			1 =	1 =	3 =	12
			1 =	5½ =	16½ =	96
	Chains.		1 =	22 =	66 =	198
	Furlongs.	1 =	4 =	220 =	660 =	792
Mile.	1 =	10 =	40 =	220 =	660 =	7920
1 =	8 =	80 =	320 =	1760 =	5280 =	63360

A league = 3 miles.

A hand = 4 inches.

A fathom = 6 feet.

Geographical degree = 60 geogr. or nautical miles = 69·121 imper. miles.

∴ mile = 1.150 imperial mile. A military pace = $2\frac{1}{2}$ feet.

For smaller lengths than an inch, decimal parts, also eighths and sixteenths of an inch, are used. The chain is divided into 100 links, each link being equal to 7.92 inches.

The yard is the imperial standard measure of length.

CLOTH MEASURE.

	Yard.	Quarters.	Nails.	Inches.
	1	=	4	= 9
EL.	1	=	16	= 36
1	= 1 $\frac{1}{4}$	=	20	= 45

The yard is the same as in Lineal Measure.

YARN MEASURE.

COTTON.				LINEN.			
		Skeins.	Yards.			Cuts.	Yards.
Hanks.		1 =	120	Rasps.		1 =	300
		7 =	840			2 =	600
Spindle.	1 =	7 =	840	Spindle.	1 =	6 =	3600
1 =	18 =	126 =	15120	1 =	4 =	24 =	14400

WORSTED.

			Lea.		Yards.
	Hank.	1	=		80
Gross.	1	=	7	=	560
1	=	144	=	1008	= 80640

SOLID OR CUBIC MEASURE.

Cubic yard.	Cubic feet.	Cubic inches.
1	27	1728
1	=	27
		= 46656

1 ton of shipping = 40 cubic feet. 1 barrel bulk = 5 cubic feet.

Solid measure is computed by multiplying the length by the breadth, and the product by the thickness. A cubic inch is a cube whose side is 1 inch.

SQUARE OR LAND MEASURE.

Sq. rods.	Sq. poles.	Sq. yards.	Sq. feet.	Sq. inches.
1	1	1	1	144
			9	= 1296
		30 $\frac{1}{4}$	= 272 $\frac{1}{4}$	= 39204
Sq. acre. 1	= 40	= 1210	= 10890	= 1568160
1	= 4	= 160	= 4840	= 43560
				= 6272640

1 sq. mile = 640 acres; 36 sq. yards = 1 rood of building; 100 sq. feet = 1 square of flooring; 272 $\frac{1}{4}$ sq. feet = 1 rood of bricklayer's work. The chain with which land is measured is 22 yards long, and 1 sq. chain = 10,000 sq. links, contains 22 x 22 = 484 sq. yards; 10 sq. chains = 1 acre.

Sometimes the term *square feet* is confounded with that of *feet square*, which is quite a different thing. A piece of cloth said to measure six square feet consists of six squares of a foot each; but a piece said to measure six *feet square* would be six feet along each side, and comprise thirty-six squares of a foot each.

Square measure is computed by multiplying the length by the breadth. A square foot is a square whose side is 1 foot.

LIQUID MEASURE OF CAPACITY.

Gallon.	Quarts.	Pints.	Gills.
1	4	8	32
1	=	4	= 8
		= 8	= 32

A hogshead (hhd.) contains 63 gallons. A pipe is 2 hogsheads, and 2 pipes form a tun. But in trade these measurements are not rigidly adhered to, as casks differ in capacity. 1 gill = 5 oz. avoirdupois of water, or about 8 $\frac{3}{4}$ cubic inches. All liquids are measured by this table.

The imperial gallon is the standard measure of capacity for liquids: it contains 277.274 cubic inches, being equal to that volume of distilled water which weighs 10lb. avoirdupois, the temperature being 62° Fahrenheit, and the pressure of the atmosphere equal to 30 inches of mercury.

APOTHECARIES use the following liquid measure:—

1 fluid minim	= 0.0045 cubic inches	Marked.
60 fluid minima	= 1 dram	M
8 drams	= 1 ounce	℥
20 ounces	= 1 pint	℥
		℥

The pint is the same as the ordinary pint measure.

GRAIN MEASURE, ETC., OR DRY MEASURE OF CAPACITY.

Quarter.	Bushels.	Pecks.	Gallons.
1	1	1	2
	= 8	= 8	= 8
		= 32	= 64

1 boll of wheat = 4 bushels nearly. 5 bushels are a sack.

1 boll of barley = 6 "

The imperial bushel contains 60 lbs. avoirdupois of distilled water, and its content is 2218.182 cubic inches. quarters make a load.

TABLE OF TIME.

Week.	Days.	Hours.	Minutes.	Seconds.
1	7	168	10080	604800
		1	= 60	= 3600
		24	= 1440	= 86400

1 common year = 365 days, or 52 weeks 1 day.

1 leap year = 366 days, or 52 weeks 2 days.

1 solar year = 365 days 48 minutes 49 seconds.

GEOGRAPHICAL OR NAUTICAL MEASURE.

1 geographical mile	= 1 $\frac{1}{8}$ imperial mile, or 6076 ft.
8 "	miles = 1 league.
60 "	miles = 1 degree, marked deg. or [°].
360 "	degs. or about 24,855 $\frac{1}{2}$ imp. miles = circumference of the earth.

The degree is divided into 60 minutes (marked '), and the minute into 60 seconds (marked "). This measure is used for geographical purposes, and in reckoning distances at sea. At the equator, a degree of longitude is 69.0 imperial miles.

**FOREIGN WEIGHTS AND MEASURES,
WITH THEIR EQUIVALENTS IN THE BRITISH STANDARDS.**

Countries.	Weight for gold, silver, &c.	Commercial Weight.	Cloth Measure.	Lineal Measure.
	Troy grains.	Imper. lbs.	Imper. inches.	Imperial.
AUSTRO- HUNGARY. Marc ...4333		Pound1·23	Ell, Vienna	Foot12·45 inch
It is intended to in- troduce the French Metrical System.		Centner123·52 = 100 lbs.	30·66 Trieste— Wool 26·60 Silk 25·22	Mile4·71 miles
BAVARIA ... Marc ...3609		Pound1·04	Ell32·80	Foot11·67 inch
BELGIUM ... Same as in France.				
BRAZIL ... Same as in Portugal.				
CANADA ... Same as in Great Britain.				
CHINA..... Tael580		Catty1·33 = 16 Taels. Pecul133·33 = 100 Catties.	Covid...14·62	Foot13·12 inch Li·36 mile
DENMARK ... Mark ...3633		Pound1·10 Centner110·25 = 100 lbs.	Ell24·71	Foot12·36 inch Mile4·68 miles
EGYPT..... Rottolo, 6654		Rottolo forforo·93	Pic..... 26·80	
FRANCE Gramme		Kilogramme2·20 = 1000 Grammes. Quintal220·50 = 100 Kilogrammes.	Metre...39·37	Metre39·37 inch Kilometre ...·62 mile = 1000 Metres Myriametre 6·28 miles = 10 Kilometres
GERMAN EMPIRE ... Gramm		Kilogramm	Meter or Stab	Meter or Stab
Same as in the Metrical System of France.				Mile = 7500 Metres = 4·66 miles
GREECE Same as in the Metrical System of France.				
HOLLAND ... Wigtj...15·43		Pound2·20 = 1000 Wigtj.	Ell39·37	Foot12·36 inch
INDIA Tola180		Seer, Governt. ...2·06 = 80 Tolas. Maund, Governt. 82·28 = 40 Seers.	Guz, Bombay 27· Guz, Bengal 36· Covid, Madras 18·6	Mijle·62 mile Mile, Bengal 1·13 mile
(Government)				
ITALY Gramma		Chilogramma ...2·20	Metro...39·37	Metro39·37 inch.
15·43				
Same as in the Metrical System of France.				
MEXICO Same as in Spain.				
NORWAY ... Same as in Denmark.				
PERSIA Derham...151		Batman.....6·3	Rl. Guerze 37·21	Parasang = 3·45 miles
PERU Same as in Spain.				
PORTUGAL... Maro. ...3541		Pound1·01	Vara ...43·20	Foot.....12·94 inch League3·84 miles
The French Metrical System has been adopted.				
PRUSSIA..... Same as in the German Empire.				
SPAIN Grammo.....		Kilogrammo.....	Metro	Metro39·37 inch.
Same as the Metrical System of France.				
SWEDEN..... Marc.....3252		Pound·94 Centner112·51 = 120 lbs.	Ell23·36	Foot11·68 inches Mile.....6·64 miles
SWITZER- LAND Same as in France.				
TURKEY Chequee 4957		Oke2·84	Long Pik 27·90	Berri1·03 mile
UNITED STATES ... Same as in England.				
The Quintal of 100 lbs. is also used.				
WEST INDIES (BRITISH). Generally the same as in England.				

FOREIGN WEIGHTS AND MEASURES—*continued.*

Countries.	Land Measure.	Grain Measure.	Liquid Measure.
	Imper. acres.	Imper. bushels.	Imper. gallons.
AUSTRO- HUNGARY.	Joch.....1·42	Metzen 1·69 = 4 Viertels. Muth50·76 = 30 Metzen. Metzen 1·51	Eimer 12·44 Fuder 398·65 = 32 Eimers. Eimer 8·12
BAVARIA ...	Same as in France.		
BELGIUM ...	Same as in Portugal.		100 Medidas.....61·10
BRAZIL ...	Same as in Britain.	Same as English measures.	
CANADA ...	Varies in different localities.		
CHINA ...			
DENMARK ...	Toende5·5	Barrel or Toende ... 3·83 Last 45·91 = 12 Toendes. Rhebebe 4·36	Viertel.....1·70 Oxhoft 51·02 = 30 Viertels.
EGYPT		Litre ·027	Litre..... ·22
FRANCE	Are..... ·025 Hectare 2·47 = 100 Ares.	Hectolitre 2·75 = 100 Litres.	Decalitre 2·20 = 10 Litres. Hectolitre 22· = 100 Litres.
GERMAN EMPIRE ...	Ar Same as in the Metrical System of France.	Liter or Kanne ·027	Liter or Kanne.....·22
GREECE	Same as in the Metrical System of France.		
HOLLAND ...	Morgen 2·10 Vierkantehunder ·025	Mndde 2·75 = 10 Schepels.	Vat 22· = 100 Kannen.
INDIA	Biggah, Bengal ·33 = 20 Cottahs. Cawney, Madras 1·32	Candy, Bombay ... 24·25 = 20 Maunds. Grain is usually sold by weight.	Liquids are usually sold by weight, except at Calcutta, Madras, and Bombay, where the imperial measures are used for wines and spirits.
ITALY	Ara Same as in the Metrical System of France.	Litro ·027	Litro ·22
MEXICO	Same as in Spain.		
NORWAY ...	Same as in Denmark.		
PERSIA		Artaba.....1·93	
PERU	Same as in Spain.		
PORTUGAL...	Giera 1·43	Moyo 22·39 = 15 Fanagro.	Almade 3·64
PRUSSIA	The French Metrical System has been adopted.		
RUSSIA	Same as in the German Empire. Deciatina 2·70	Chetwerk 5·77	Vedro..... 2·70 Oxhoft 48·68 = 18 Vedros.
SPAIN	Area Tunneland1·13	Litro ·027 Tunna 4·03 = 36 Kappar.	Litro..... ·22 Kann..... ·57
SWEDEN.....			
SWITZER- LAND	Same as in France.		
TURKEY		Fortin 4·03 = 4 Killoros.	100 Amudes .. 115·10
UNITED STATES ...	Same as in Britain.	Same as the former English Measures.	
WEST INDIES (BRITISH).	Generally the same as in England.		

CONSULAR, NOTARIAL, AND OTHER FORMS, ETC.

AVERAGE BOND.

AN AGREEMENT made this day of , 18 ,
between , master of the ship or vessel called
the , and the several persons whose names or
firms are set and subscribed hereto, being respectively
consignees of cargo on board the said ship, of the other part.

Whereas the said ship lately arrived in the port of
 , on a voyage from , and it is
alleged that during such voyage she met with bad weather
and sustained damage and loss, and that sacrifices were
made and expenditure incurred, which may form a charge
on the cargo or some part thereof, or be the subject of a
general average contribution, but the same cannot be
immediately ascertained, and in the mean time it is desirable
that the cargo should be delivered: Now, therefore, these
presents witness, and the said master, on his own behalf and
on behalf of his owners, in consideration of the agreement of
the parties hereto of the second part, hereinafter contained,
hereby agrees with the respective parties hereto of the
second part that he will deliver to them respectively their
respective consignments on payment of the freight payable
on delivery, if any; and the said parties hereto of the second
part, in consideration of the said agreement of the said
master, for themselves severally and respectively, and not
the one for the other of them, hereby agree with the said
master that they will pay to the said master or the owners
of the said ship the proper and respective proportion of any

general average, or particular or other charges, which may be chargeable upon their respective consignments, or to which the shippers or owners of such consignments may be liable in respect thereof to contribute to such damage, loss, sacrifice, or expenditure; and the said parties hereto of the second part further promise and agree forthwith to furnish to the master or owner of the said ship a correct account and particular of the value of the goods delivered to them respectively, in order that any such general average and other charges may be ascertained and adjusted in the usual manner.

In witness,

FORM OF BILL OF HEALTH.

BILL OF HEALTH.

By _____, Her Britannic Majesty's consul at _____

We do hereby certify that the British _____ called
 the _____, of _____ burthen per register _____ tons,
 commanded by _____, navigated with _____ men,
 and having on board _____ passengers, being in all
 _____ persons on board, leaves this port of
 in free pratique, bound for _____.

We further certify that good health is enjoyed in this town and the adjacent country, without any suspicion of plague or contagious distemper whatever.

In witness whereof we have hereunto set our hand and seal of office at _____, this _____ day of _____, 18 ____.

H. B. M.'s Consul,

BILL OF LADING.

Shipped in good order and well conditioned, by _____,
 in and upon the good ship called the _____, whereof
 _____ is master for the present voyage, and now in
 the port of _____ and bound for _____ [*description of goods shipped*], being marked and numbered as in
 the margin, and are to be delivered in like good order and
 well conditioned at the aforesaid port of _____ (the
 act of God, the queen's enemies, fire, and all and every
 other dangers and accidents of the seas, rivers, and naviga-
 tion, of whatsoever nature and kind, excepted) unto
 _____ or assigns, he or they paying freight for the
 said goods _____ and primage and average ac-
 customed.

In witness whereof the master or _____ of the
 said vessel hath affirmed to _____ bills of lading all
 of this tenor and date, the one of which bill being accom-
 plished, the others to stand void.

Dated at _____ this _____ day of
 18 .

NOTE.—The above is the ordinary form of bills of lading, but all
 steamship companies have their special forms, which they supply to
 shippers.

BOTTOMRY BOND.

Know all men by these presents, that I, *A. B.*, master of
 the ship or vessel called the _____, belonging to the
 port of _____, in _____, am held and firmly
 bound unto *C. D.*, of _____, in _____, mer-
 chant, in the sum of _____ of lawful British money,

to be paid to the said *C. D.*, or his certain attorney, executors, administrators, or assigns; for which payment, well and truly to be made, I bind myself, my heirs, executors, and administrators, and also the said ship or vessel, her tackle, apparel, and furniture, and the freight to be earned by her on her voyage after mentioned, firmly by these presents sealed with my seal. Dated the day of , one thousand eight hundred and .

Whereas the said ship or vessel is lately arrived at from , and having on her voyage to the port of sustained damage and [*state here clearly the damage and the circumstances which occasion the taking up of money on bottomry, and advert concisely to the repairs, etc., which have been necessary to enable her to proceed on her voyage*], she is now bound for aforesaid; and the said *A. B.*, in order to be enabled to pay for the necessary repairs of the said vessel, and her necessary and lawful disbursements and expenses, and to enable him to proceed to sea with her on the said intended voyage, hath requested the said *C. D.* to lend and advance the sum of for the aforesaid purposes, which the said *C. D.* hath accordingly done, on the hazard and adventure of the said vessel on her said intended voyage from to aforesaid; and the said master, *A. B.*, hath taken up the same on the hazard and adventure aforesaid.

Now, the condition of the above obligation is such, that if the said ship or vessel do and shall, with all reasonable and convenient speed, sail from the port of aforesaid, on the said intended voyage to , and that without deviation (the perils, damages, accidents, and casualties of the seas and navigation excepted); and if the above bounded *A. B.*, his heirs, executors, or administrators or the owners of the said vessel, do and shall, within ten days after the said vessel shall arrive at aforesaid, well and duly pay, or cause to be paid, unto the said *C. D.*, his agent, attorney, executors, administrators, or assigns, the said sum of of lawful sterling

British money, together with pounds sterling per centum bottomry premium thereon ; or if on the said voyage the vessel shall be utterly lost, cast away, or destroyed in consequence of fire, enemies, men-of-war, pirates, storms, or other the unavoidable perils, dangers, accidents, or casualties of the seas and navigation, to be sufficiently shown or proved by the said A. B., his executors or administrators, or by the owners of the said vessel, their executors or administrators. Then the above-written bond, or obligation, to be void ; otherwise to remain in full force and virtue.

(L.S.) A. B.

Signed, sealed, and delivered in the presence of

Witness.

Witness.

CERTIFICATE TO A SIGNATURE UNDER THE CONSUL'S
HAND AND SEAL.

I, , Her Britannic Majesty's consul at
 , do hereby certify and attest that the foregoing signature of is of his own true and proper handwriting, and that he is [*here insert the title, profession, or occupation of the person, and his place of residence*]. In testimony whereof I have hereunto set my hand and affixed my seal of office at , this
 day of , one thousand eight hundred
and .

H. B. M.'s Consul.

CERTIFICATE TO THE DUE EXECUTION OF A DEED.

I, _____, Her Britannic Majesty's Consul at _____, do hereby certify and attest that the foregoing deed or instrument was duly signed, sealed, and delivered by _____, therein named, in my presence and in the presence of _____ and _____, the attesting witnesses thereto, to the due execution of which, an act being requested, I have granted this certificate.

In testimony whereof I have hereunto set my hand and affixed my seal of office at _____, this _____ day of _____, one thousand eight hundred and _____

H. B. M.'s Consul.

CERTIFICATE OF ORIGIN, OR GROWTH, OR MANUFACTURE.

Personally appeared before me, _____, Her Britannic Majesty's consul at _____, _____, merchant, resident at this port, and made oath that the packages containing _____, weighing net _____, or thereabouts, marked _____, Nos. _____ and shipped on board the ship or vessel called the _____ of _____, is really and *bond fide* the growth, produce, and manufacture of _____, and was grown, produced, or manufactured at _____ in the kingdom of _____

[*Signature of Appearer.*]

Sworn to before me this _____ day of _____, 18 _____.

H. B. M.'s Consul.

CERTIFICATE ON AGREEMENT IN CASE OF A SEAMAN'S
DISCHARGE.

I certify that the within-named [*state name*] has been discharged and left behind at the port of _____, on the alleged ground of [*state grounds of the discharge*]; that I have inquired into the matter and find that [*state if the allegation is true or not*], and that I have accordingly granted [*or refused*] my sanction to his being so left; and

that £ _____, being wages due to him up to the _____ of _____, have been paid to him [*or me, as the case may be*] in cash [*or by bill on Messrs. _____, as the case may be*], and that provision has been made for maintaining him and sending him back to _____ [*state money advanced, or other steps taken, if any, for the purpose.*]

(Signed)

H. B. M.'s Consul.[*Place*], this _____ day of _____, 18 ____.CERTIFICATE ON AGREEMENT OF THE SANCTION OF
ENGAGEMENT OF SEAMEN.

I hereby certify that I have sanctioned the engagement of [*name or names of seamen engaged*] upon the terms mentioned in the within-written agreement; that I have ascertained and am satisfied that [*he or they*] fully understand the said agreement which [*he or they*] signed in my presence.

(Signed)

H. B. M.'s Consul.[*Place*], this _____ day of _____, 18 ____.

CERTIFICATE OF ALTERATION OF AGREEMENT.

I hereby attest that the erasure, interlineation, or alteration [*as the case may be*] to the effect [*specify alteration*], contained in lines and of the within-written agreement, has this day been consented to in my presence by all the parties [*or if only some of them, name them*] to the said agreement.

(Signed)

H. B. M.'s Consul.

[*Place*], this day of , 18 .

CERTIFICATE TO BE ENDORSED ON AGREEMENT IN CASES OF DESERTION.

I hereby certify that the within-named [*state name or names*] have been left behind at this port on the alleged ground of [*his or their*] having deserted, and that I have inquired into the matter and find that [*state that the allegation is true or not, as the case may be*], and that a proper entry of such desertion in the official log-book has been produced to me.

(Signed)

H. B. M.'s Consul.

[*Place*], this day of , 18 .

FORM C. 20, ANNEX a.

No. .

Voucher for Subsistence.

18 .

H. B. M.'s Consul.

Dr. to

For boarding	ex ship	from
18 , to	, 18 , inclusive,	days, at
per day,		_____

Received payment this day of , 18 .

[*Signature.*]

FORM C. 20, ANNEX b.

No. .

Voucher for Hospital Expenses.

18 .

H. B. M.'s Consul.

Dr. to the

Hospital.

For hospital fees on account of , ex ship

, admitted

, suffering from

discharged

, being

days, at

per

day,

Received payment this day of , 18 .

[Signature.]

[Title.]

MANIFEST OF CARGO.

[Date.]

Manifest of merchandise laden on board the British

called the

, of

master, burthen by register

tons, or thereabouts,

bound for .

Shippers.	Consignee.	Marks and Numbers.	Packages.	Description.

I hereby declare the above to be a true and faithful manifest of all the merchandise laden on board the said vessel under my command.

[Signature of Master.]

Consul's certificate to the above, when requested.

Appeared personally before me, Her Britannic Majesty's consul at , the above-named master of the British

called the _____, of _____, who
 declared the foregoing to be a true and correct manifest of
 all goods or merchandise laden on board his vessel in this
 port. In testimony whereof I have hereunto set my hand
 and seal of office at _____, this _____ day of _____,
 18 ____.

(L.S.)

H. B. M.'s Consul.

POLICY OF MARINE INSURANCE.

Be it known that _____, as well in
 own name, as for and in the name and names of all and
 every other person or persons to whom the same doth, may,
 or shall appertain, in part or in all, doth make assurance,
 and cause _____ and them, and every of them, to be
 insured, lost or not lost, at and from _____, upon any
 kind of goods and merchandises, and also upon the body,
 tackle, apparel, ordnance, munition, artillery, boat, and other
 furniture, of and in the good ship or vessel, called the
 _____, whereof is master, under God, for this present
 voyage, _____ or whosoever else shall go for master
 in the said ship, or by whatsoever other name or names the
 said ship, or the master thereof, is or shall be named or
 called; beginning the adventure upon the said goods and
 merchandises, from the loading thereof aboard the said
 ship, _____ upon the said ship, etc., _____ and
 so shall continue and endure, during her abode there, upon
 the said ship, etc. And further, until the said ship, with all
 her ordnance, tackle, apparel, etc., and goods and mer-
 chandises whatsoever, shall be arrived at _____, upon
 the said ship, etc., until she hath moored at anchor twenty-
 four hours in good safety: and upon the goods and mer-
 chandises, until the same be there discharged and safely
 landed. And it shall be lawful for the said ship, etc., in this

voyage, to proceed and sail to, and touch and stay at, any ports or places whatsoever without prejudice to this insurance. The said ship, etc., goods and merchandises, etc., for so much as concerns the assured, by agreement between the assured and assurers in this policy, are and shall be valued at .

Touching the adventures and perils which we the assurers are contented to bear, and do take upon us in this voyage; they are of the seas, men-of-war, fire, enemies, pirates, rovers, thieves, jettisons, letters of mart and counter-mart, surprisals, takings at sea, arrests, restraints, and detainments of all kings, princes, and people, of what nation, condition, or quality soever; barratry of the masters and mariners, and of all other perils, losses, and misfortunes that have or shall come to the hurt, detriment, or damage of the said goods and merchandises, and ship, etc., or any part thereof: and in case of any loss or misfortune, it shall be lawful for the assured, their factors, servants, and assigns, to sue, labour, and travel for, in, and about the defence, safeguard, and recovery of the said goods and merchandises and ship, etc., or any part thereof, without prejudice to this insurance; to the charges whereof we the assurers will contribute, each one according to the rate and quality of his sum herein assured. And it is specially declared and agreed that no acts of the insurer or insured in recovering, saving, or preserving the property insured, shall be considered as a waiver or acceptance of abandonment. And it is agreed by us, the insurers, that this writing or policy of assurance shall be of as much force and effect as the surest writing or policy of assurance heretofore made in Lombard Street, or in the Royal Exchange, or elsewhere in London. And so we the assurers are contented, and do hereby promise and bind ourselves, each one for his own part, our heirs, executors, and goods, to the assured, their executors, administrators, and assigns, for the true performance of the premises, confessing ourselves paid the consideration due unto us

for this assurance by the assured at and after the rate of

In witness whereof we the assurers have subscribed our names and sums assured in

N.B.—Corn, fish, salt, fruit, flour and seed, are warranted free from average, unless general, or the ship be stranded; sugar, tobacco, hemp, flax, hides and skins, are warranted free from average, under five pounds per cent.; and all other goods, also the ship and freight, are warranted free from average, under three pounds per cent., unless general, or the ship be stranded.

FORM OF NOTE OF PROTEST.

Note of Protest against the Seas.

[*Name of place*], the day of , one thousand eight hundred and . On which day came and personally appeared before me, Her Britannic Majesty's consul at , , master of the British called the , of , registered tonnage tons or thereabouts, and entered a protest as follows:—

Sailed from , on the day of last past, with a cargo of , bound for , and arrived at the , and fearing damage, owing to boisterous weather encountered during the voyage, he protests against all losses, damages, etc.

(Signed)

Master.

Signed before me, Her Britannic Majesty's consul at , this day of , one thousand eight hundred and .

(Signed)

H. B. M.'s Consul.

N.B.—No figures to be used in dates; the same to be written at full length, as is the case with all similar and legal documents. The original remains in the archives. All copies issued to have the attestation as given at the foot of the "Extended Protest" which follows.

EXTENDED PROTEST (SHIP'S).

By this Public Instrument of protest, be it known and made manifest unto all men, that on this day of , one thousand eight hundred and , personally came and appeared before me [*insert name*], her Britannic Majesty's consul at , [*insert name*], master of the or vessel called the , belonging to the port of , [*insert name*], mate, and [*insert name*], seaman of the said vessel, who did severally, duly, and solemnly declare and state as follows: that these appearers sailed in the said vessel from the port of on the day of last, bound for the port of , laden with a cargo of , the said vessel being then tight, staunch, and strong, well manned, victualled, and found, and in every respect fit to perform her said intended voyage; that [*here insert full and minute particulars of the facts concerning the cause of protest as they appear in the ship's log, corroborated by the testimony of the appearers*]. And this appearer [*insert name of master*] further declares that on the day of he appeared at the office of me, the said consul, and caused his protest to be duly noted.

And these appearers do protest, and I, the said consul, at their request do also protest, against the aforesaid bad weather, gales, storms, accidents, and occurrences [*if the protest is in consequence of collision, omit "bad weather, etc.," and state steamer or ship, as the case may be, and the said collision*], and all loss or damage occasioned thereby.

We, , master, , mate , and , seaman, do solemnly and sincerely declare that the foregoing statement is correct, and contains a true account of the facts and circumstances, and we make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the sixth year of the reign of his late Majesty, intituled An Act to repeal an Act of the present

Session of Parliament, intituled "An Act for the more effectual abolition of Oaths and Affirmations taken and made in various departments of the State, and to substitute Declarations in lieu thereof, and for the more entire suppression of voluntary and extrajudicial Oaths and Affidavits, and to make other provisions for the abolition of unnecessary Oaths."

(Signed)

Master.

Mate.

Seaman.

Thus declared and Protested in due form of law at
aforesaid, the day and the year first before
written, before me,

(L.S.)

H. B. M.'s Consul.

N.B. The original protest remains in the archives of the consulate, and the following certificate is appended to the copies issued.

I, _____, Her Britannic Majesty's consul at _____, do hereby certify and attest that the foregoing is a true and faithful copy of the original protest entered in the acts of this consulate, copied therefrom and carefully compared therewith. In testimony whereof I have hereunto set my hand and affixed my seal of office at _____, this _____ day of _____, one thousand eight hundred and _____.

(L.S.)

H. B. M.'s Consul.

PROTEST BY MASTER FOR DEMURRAGE PAYABLE UNDER THE STIPULATIONS OF A CHARTER-PARTY.

By this Public Instrument of protest, be it known and made manifest unto all men, that on the _____ day of _____, one thousand eight hundred and _____, personally came and appeared before me, _____, her Britannic Majesty's consul at _____, *A. B.*, master of the ship or vessel called the _____, belonging to the port of _____, who did declare and state that he,

this appearer, as such master as aforesaid, did, on or about the day of last, let the said ship on freight to *C. D.*, of , and a charter-party of the said vessel for a voyage [*here state the voyage*] was entered into, dated on the said day of last, and made between this appearer of the one part and the said *C. D.* of the other part, for the said voyage, whereby it was, amongst other stipulations, engaged and agreed [*here state the nature of the agreement as to lay days, etc.*]. That this appearer, pursuant to the said charter-party, did receive on board the said vessel, at aforesaid, a cargo of lawful goods, provided and shipped by *E. F.*, agent of the said *C. D.*, and thence proceeded therewith on board the said vessel direct to aforesaid, where she arrived on the day of instant, where the said vessel was reported [*here insert the nature of the detention, number of days consumed, and number of days on demurrage, protesting for the amount per day, and total amount*].

Wherefore the said appearer, *A. B.*, on behalf of the owners of the said vessel, and on behalf of himself as master, doth protest, and I, the said consul, at his request do also protest, against the said freighter, *C. D.*, and against his agent or agents, and against all and every other person or persons whomsoever responsible, or whom these presents do or may concern, and holding him and them responsible for the breach of the said charter-party, and for all demurrage, loss, damage, wages, and expenses incurred, owing, or sustained, or to be incurred or sustained, in consequence of such breach, delay, or detention as aforesaid.

(Signed)

Master.

Thus Protested in due form of law at afore-said, the day and the year first before written, before me,

(L.S.)

H. B. M.'s Consul.

PROTEST BY MASTER FOR DEMURRAGE AND CONTINUED
DETENTION OF HIS VESSEL.

By this Public Instrument of protest, be it known and made manifest unto all men, that on the _____ day of _____, one thousand eight hundred and _____, personally came and appeared before me, _____, her Britannic Majesty's consul at _____, A. B., master of the ship or vessel called the _____, belonging to the port of _____, who did declare and state that he, this appearer, as such master as aforesaid, did, on or about the _____ day of _____ last, let the said ship to freight to _____ [*insert here the nature of the charter-party, when the voyage was completed and the cargo discharged, when they began to load, and the incidents connected with the protest*]; and that up to the date and making of these presents [*he or they, as the case may be*] [*has or have*] neglected and not completed the loading of the said vessel, nor offered or provided sufficient goods for that purpose, and [*he or they*] still continue to detain her at _____, although the time hereinbefore mentioned and allowed in and by the said charter-party to the said freighter or his agents, for discharging and reloading the said vessel at _____ aforesaid, is expired, and _____ days over and beyond the time so allowed have already elapsed; and this appearer did further declare and state that he hath been detained during the _____ days, and still is detained, with his said vessel at _____, by reason of delay and neglect of the said freighter aforesaid; and this appearer hath repeatedly, during that time, given notice to and required the said freighter to complete the said loading and to despatch the said vessel from _____, pursuant to the said charter-party.

Wherefore [*conclude as in preceding protest*].

PROTEST BY SHIPPERS IN CONSEQUENCE OF THE MASTER'S
REFUSAL TO SIGN BILLS OF LADING IN THE USUAL
FORM.

By this Public Instrument of protest, be it known and made manifest unto all men, that on the day of , one thousand eight hundred and , personally came and appeared before me, , her Britannic Majesty's consul at , A. B., of the firm of C. D. & Co., the shippers of goods and merchandise on board the ship or vessel called the , of , bound for a voyage to , who did solemnly declare and state that the goods and merchandise mentioned in the bill of lading hereinafter mentioned were duly shipped on board the aforesaid vessel. That , master of the said vessel, signed and gave a bill of lading for the packages of merchandise therein mentioned with the words [*here insert the master's exception*] written at the foot thereof, and this appearer, A. B., objected to the same, having seen the said packages of merchandise delivered at alongside the said vessel at aforesaid, in the usual manner, and left under the charge of the mate and crew thereof; and that on this day of instant, this appearer did deliver to the said , master, a notice and demand, signed by the said A. B., of which a copy is hereunto annexed; but the said refused to comply therewith, or to sign or declare any other bill of lading in another form.

And this appearer, A. B., for himself and his partners, trading under the firm of C. D. & Co., and for and on behalf of all other persons who are, or shall, or may be interested in the said goods and merchandise, doth declare and protest before me, and I, the said consul, at the request of the said shippers, C. D. & Co., do protest, against the owners and the said master of the said vessel, for and in respect of the said

refusal and neglect to sign and give a correct bill of lading for the said goods, in the usual and customary form, and for all, in respect of all fall of markets, loss, damage, or expenses which the said shippers, or any other person or persons who is or are, or shall or may be, interested therein, have or hath incurred, or may incur, by reason of these premises.

(Signed)

A. B.

Thus Protested in due form [*conclude as in preceding protest*].

PROTEST OF A BILL OF EXCHANGE FOR NON-ACCEPTANCE.

N.B.—The copy of the bill and its indorsements must be prefixed.

On this day of , one thousand eight hundred and , at the request of , of , and bearer of the original bill of exchange, whereof a true copy is on the other side written,

on whom the said bill is drawn, and exhibited unto him the said original bill of exchange, and demanded acceptance thereof, to which he answered ; which answer not being satisfactory, I the said consul, at the request aforesaid, have protested, and by these presents do solemnly protest, as well against the drawer of the said bill of exchange as against all others whom it may or doth concern, for exchanges, re-exchanges, damages, costs, charges, and interest, suffered or to be suffered for want of acceptance of the said bill of exchange.

Thus done at , on the day and the year first before written.

(L.S.)

H. B. M.'s Consul.

PROTEST OF BILLS FOR NON-PAYMENT.

On the day of , one thousand eight hundred and , I, , Her Britannic Majesty's consul at , in , at the request of , the holder or bearer [*as the case may be*], did cause due and customary presentment to be made of the original bill of exchange, whereof a true copy is on the other side written [*here insert the circumstances, as, for example, unto A. B., the person upon whom the said bill is drawn, and by whom the same is accepted (if it be so), and payment being thereupon demanded, he answered (state answer). Or, unto the counting-house of A. B., where the said bill is made payable by the acceptance, in order to demand payment thereof; and the door was found fastened and the place shut up, and there was no person there to give an answer, and I am informed that the said A. B. (is a bankrupt or insolvent, or as the case may be).*]

Wherefore I, the said , her Britannic Majesty's consul at , at the request aforesaid, have protested and by these presents do protest, against the drawer of the said bill and all the parties thereto, and all others concerned, for all exchange, re-exchange, and all costs, damages, and interest present and to come, for want of payment of the said bill. Which I attest.

(L.S.)

H. B. M.'s Consul.

FORM OF PASSPORT.

We, , Her Britannic Majesty's consul at , request and require, in the name of Her Majesty, all those whom it may concern to allow Mr. [accompanied by his wife and two children, *or as the case may be*], travelling on the continent [*or as the case may be*], to pass freely without let or hindrance,

and to afford every assistance and protection of which may stand in need.

Given at the British Consulate at _____, the
day of _____, 18 ____.

(L.S.)

H. B. M.'s Consul.

Signature of the bearer.

FORM OF PASSPORT FOR NATURALIZED BRITISH SUBJECTS.

The foregoing form is used for passports for persons naturalized under the Act of 1870, but the following clause must be inserted:—"This passport is granted with the qualification that the bearer shall not, when within the limits of the foreign state of which he was a subject previously to obtaining his certificate of naturalization, be deemed to be a British subject, unless he has ceased to be a subject of that state in pursuance of the laws thereof, or in pursuance of a treaty to that effect" (33 Vict. c. 14).

RESPONDENTIA BOND.

Know all men by these presents, that we, _____, master of the ship or vessel called the _____, and _____, of _____, are held and firmly bound to _____, of _____, merchant, in the sum or penalty of _____ pounds of good and lawful money of Great Britain, to be paid to the said _____, or to his certain attorney, executors, administrators, or assigns, to which payment, well and truly to be made, we bind ourselves jointly and separately, our heirs, executors, and administrators, firmly by these presents, sealed with our seals, dated this _____ day of _____, one thousand eight hundred and _____.

Whereas the above-named has, on the day of the date

above written, advanced and lent unto the said
 and the sum of pounds upon the goods
 and merchandise laden and to be laden on board the good
 ship or vessel called the , of the port of ,
 burthen per register tons or thereabouts, now [at
 anchor in the river , *or as the case may be*],
 bound to , and whereof is master,
 by his acceptance of a bill of exchange to that amount
 at months' date, for the account of them, the said
 and .

Now, the condition of this obligation is such, that if the
 said ship or vessel do and shall, with all convenient speed,
 proceed and sail from , on a voyage to any
 port or place, ports or places, in , and from
 thence do and shall sail, return, and come back to ,
 at or before the end and expiration of calendar
 months, to be accounted for from the day of the date above
 written, and there to end her said intended voyage (the
 dangers and casualties of the seas excepted); and if the
 said and , or either of them, or
 either of their heirs, executors, or administrators, do and
 shall, within days next after the said ship or vessel
 shall arrive at from her said intended voyage,
 or at or upon the end or expiration of the said
 calendar months, to be accounted for as aforesaid (which
 of the said times shall first and next happen), well and
 truly pay or cause to be paid unto the said ,
 his executors, administrators, or assigns, the full sum of
 pounds of lawful money of Great Britain,
 together with pounds of like money per
 calendar month for each and every calendar month, and so
 proportionately for a greater or lesser time than a calendar
 month for all such time, and so many calendar months as
 shall be elapsed and run out of the said calendar
 months, and over and above calendar months to be
 accounted for as from the day of the date above written;
 or if in the said voyage and within the said

calendar months, to be accounted for as aforesaid, an utter loss of the said ship or vessel by fire, enemies, men-of-war, or any other casualties, shall unavoidably happen, and the said and , their heirs, executors, or administrators, do and shall, within calendar months next after such loss, well and truly pay unto the said , his executors, administrators, or assigns, a just and proportionate average on all the goods and effects of carried from on board the said ship or vessel, and the net proceeds thereof, and on all other goods and effects which the said shall acquire during the said voyage, for or by reason of such goods, merchandise, and effects, and which shall not be unavoidably lost, then the above-written obligation shall be void and of no effect, else to stand in full force and virtue.

(L.S.)

(L.S.)

Signed, sealed, and delivered in the
presence of

Witness.

Witness.

SALVAGE BOND.

N.B. Any of the particulars not known, or not required by reason of the claim being only against the cargo, etc., may be omitted.

Whereas certain salvage services are alleged to have been rendered by the ship [*insert names of ship and of commander*] commander, to the merchant ship [*insert names of ship and master*] master, belonging to [*name and residence of owner of ship*], freighted by [*name of the freighter*], and to the cargo therein, consisting of [*state shortly the descriptions and quantities of the goods, and the names and address of their owners and consignees*]. And whereas the said ship and cargo have been brought

into the port of [state name of port], and a statement of the salvage claim has been sent to [insert the name of the consular officer or Vice-Admiralty judge, and of the office he fills], and he has fixed the amount to be inserted in this bond at the sum of [state the sum].

Now I, the said [state master's name], do hereby, in pursuance of the Merchant Shipping Act, 1854, bind the several owners for the time being of the said ship, and of the cargo therein, and of the freight payable in respect of such cargo, and their respective heirs, executors, and administrators, to pay amongst them such sum not exceeding the said sum of [state the sum fixed], in such proportions and to such persons as [if the parties agree on any other court, substitute the name of it here] the Admiralty Division of the High Court of Justice in England shall adjudge to be payable, as salvage for the services so alleged to have been rendered as aforesaid.

In witness whereof I have hereunto set my hand and seal, this day of , 18 .

(L.S.)

[Signature of Master.]

Signed, sealed, and delivered by the said
in the presence of

(L.S.)

[Name of consular officer or Vice-Admiralty judge].

FORM OF SECURITY FOR SALVAGE BY PERSONS RESIDING
IN FOREIGN PORTS.

Whereas a salvage bond, made under the Merchant Shipping Act, 1854, has been executed in the following terms [*here copy salvage bond*]; and whereas the owners of the said ship and cargo reside at _____, out of her Majesty's dominions; and whereas the said ship and cargo cannot be released by virtue of the provisions contained in

the said Act without additional security, approved by her Majesty's consul for the port of _____; and whereas the said consul has approved the security hereinafter given, as is testified by his endorsement hereon; we, *A. B.* and *C. D.*, hereby, for ourselves, our respective executors, administrators, and assigns, agree with the said _____, his executors, administrators, and assigns, that in consideration of the said ship and cargo being released by the said _____, we, the said _____ and _____, do hereby guarantee payment of the sum for which the within-written bond is given in manner therein mentioned.

In witness whereof we have hereunto set our hands and seals, this _____ day of _____, 18 .

(L.S.)

(Signed)

of

(L.S.)

(Signed)

of

Attestation of Consul.

I hereby attest that I have approved the above security, and that it has been executed by the above-named *A. B.* and *C. D.* in my presence, this _____ day of _____, 18 .

(Signed)

(L.S.)

H. B. M.'s Consul.

ORDER OF SURVEY OF DAMAGED GOODS.

British Consulate,

[*Place and date*].

Gentlemen,

On the requisition of Mr. _____, I hereby request you, jointly and severally, to examine and inspect [*here state number and marks of packages*] which have

been landed from the British _____ called the
 _____, of the port of _____, whereof
 is master, and now warehoused [*here state where the packages
 are*], in order to declare the actual condition of the said
 merchandise as to sea damage.

I have the honour to be,

(L.S.)

. [Signature]

H. B. M.'s Consul.

To

Mr. _____, Merchant.

Mr. _____, Merchant.

EXTENDED SURVEY OF DAMAGED GOODS.

Pursuant to the annexed order of survey unto us
 directed, we, the undersigned, hereby declare that we
 repaired to the [*here insert where*], and then and there
 particularly viewed, examined, and surveyed [*here describe
 the merchandise*] from on board the British _____,
 whereof _____ is master, from the port of _____;
 and we find, after due inspection, the said _____ to
 be [*here insert, if damaged, the nature of the damage, and
 the quantity damaged; also the market value that day of
 sound goods of the same kind and quality*].

This we report under our hands and seals at [*here insert
 name of place*], this _____ day of _____, 18 _____.

(L.S.) (Signed)

(L.S.) (Signed)

Signed before me, Her Britannic Majesty's consul, the
 day and the year above written.

(L.S.)

[Consul's signature.]

ORDER OF SURVEY OF A VESSEL.

British Consulate,

[Place and date].

Gentlemen,

On the requisition of Mr. _____, master of the British _____ called the _____, of the port of _____, I hereby request you, jointly and severally, to examine and inspect the said vessel, and to report [*here state the report required, or on the cause of leak which obliged her to put in this port, or as the case may be*].

I have the honour to be,
etc., etc.

(L.S.)

[Signature]

H. B. M.'s Consul.

To

Mr. _____, Master of the _____.
Mr. _____, Shipwright.

EXTENDED SURVEY OF A VESSEL.

Pursuant to the annexed order of survey unto us directed, we repaired on board the British _____ called the _____, of the port of _____, and after having jointly and severally carefully examined and surveyed the said vessel, we do hereby report as follows [*here insert full and complete details of all loss and damage sustained, and suggestions as to necessary repairs*].

Given under our hands at _____, this _____ day of _____, 18 ____.

(Signed) A. B.
C. D.

I, _____, Her Britannic Majesty's consul at _____, do hereby certify and attest that the fore-

going signatures of *A. B.* and *C. D.* are of their own true and proper handwriting, and that they were appointed by me to hold the above survey.

In testimony whereof I have hereunto set my hand and affixed my seal of office at _____, this _____ day of _____, one thousand eight hundred and _____.

H. B. M.'s Consul.

TABLE OF CONSULAR FEES TO BE TAKEN IN PURSUANCE
OF THE ACT 6 GEO IV. c. 87, AND OF THE ORDER
IN COUNCIL, MAY 1, 1855.

[This table was abolished, by Order in Council of June 19, 1868, so far as regards fees to be levied by Her Majesty's consular officers in China and Japan, and the table at page 371 was substituted in lieu thereof.]

PART I.

Fees to be taken in respect of matters in which the consul's interposition is required by law.

<i>Matter in respect of which the fee is to be taken.</i>	<i>FEE.</i>		
	<i>£.</i>	<i>s.</i>	<i>d.</i>
For every declaration made before the consul in forms B, C, F, G, H, and L, in the schedule to the Merchant Shipping Act, 1854, with a view to the registry, transfer, and transmission of ships, interests in ships, or mortgages on ships	0	5	0
For endorsing a memorandum of change of master upon the certificate of registry	0	2	0
For granting a provisional certificate of registry (this fee to be exclusive of fees on declarations)	0	10	0
For recording a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	0	10	0
For recording the transfer of a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	0	7	0
For recording the discharge of a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	0	7	0
For every sale of a ship, or shares in a ship, made before the consul under a certificate of sale	0	10	0
For inspection of the register book of transactions in ships	0	1	0
For every seaman engaged before the consul	0	2	0
	2 B		

	FEE.		
	£	s.	d.
For every alteration in agreements with seamen made before the consul	0	2	0
For every seaman discharged or left behind with the consul's sanction	0	2	0
For every desertion certified by the consul	0	2	0
For attesting a seaman's will	0	2	0
For examination of provisions or water, to be paid by the party who proves to be in default	0	10	0
For every salvage bond made in pursuance of 17 & 18 Vict. c. 104, s. 488, to be paid by the master or owner of the property salvaged	2	0	0
On disbursements in respect of distressed seamen, a commission of	2½ per cent.		

PART II.

Fees to be taken in respect of matters in which the consul's interposition is to be given only when required by the parties interested.

<i>Matter in respect of which the fee is to be taken.</i>	FEE.		
	£	s.	d.
For noting a protest, with certified copy if required	0	5	0
For order of survey, with certified copy if required	0	5	0
For extending a protest or survey, with certified copy if required	1	0	0
And, if it exceeds 200 words, for every additional 100 words ...	0	2	6
For preparing and attesting bottomry or arbitration bond ...	1	0	0
For attesting bottomry or arbitration bond not prepared by consul	0	5	0
For attendance, out of consular office, at a shipwreck, or for the purpose of assisting a ship in distress, or of saving wrecked goods or property, over and above travelling expenses, per diem	1	1	0
For attending valuation of goods, if under £200 in value	0	10	6
For attending valuation of goods if £200 and upwards in value, for every day's attendance during which the valuation continues	1	1	0
For attending sale of goods, if the purchase money is under £200	1	1	0
For attending sale of goods if the purchase money is £200 or upwards, for every day during which the sale continues ...	2	2	0
Certificate of due landing of goods exported from the United Kingdom	0	9	0
* Bill of Health	0	10	0

* Abolished, so far as regards the Ottoman dominions, by order in Council of July 27, 1863, and the following fees substituted in lieu thereof: "In respect of every British ship on each occasion of her entering or clearing

						FEE.		
						£	s.	d.
Visé of passport	0	2	0
Opening of will of a British subject, not being a seaman	1	1	0
Management of property of a British subject, not being a seaman, dying intestate, a commission of	2½	per cent.	
Registration of documents, or other matters	0	2	6
And, if exceeding 100 words, for every additional 100 words	0	0	6
For every certified copy of a document not before mentioned	0	2	6
And, if it exceeds 100 words, for every additional 100 words	0	0	6
For administering an oath or declaration, including attestation of signature if required	0	2	0
For attesting a signature	0	2	0
For annexing the seal of office and signature to any document not mentioned in, or otherwise provided for by, this table...	0	5	0

Note 1.—No fee is to be taken for the custody of, or endorsement on, ship's articles and papers deposited with the consul in pursuance of the Merchant Shipping Act, 1854, s. 279.

Note 2.—Where any fee is fixed by the foregoing tables for any particular act or transaction, no additional fee is to be demanded for signature, attestation, or annexing seal of office.

Note 3.—The above fees, if not paid in English money, are to be calculated at the current rate of exchange.

TABLE OF CONSULAR FEES FOR CHINA AND JAPAN.

Established by Order in Council of June 19, 1868.

PART I.

Fees to be taken in respect of matters in which the consul's interposition is required by law.

<i>Matter in respect of which the fee is to be taken.</i>	FEE.	
	Dols.	c.
For every declaration made before the consul in forms B, C, F, G, H, and L, in the schedule to the Merchant Shipping Act, 1854, with a view to the registry, transfers, and transmission of ships, interests in ships, or mortgages on ships	1	0
For endorsing a memorandum of change of master upon the certificate of registry	0	50
For granting a provisional certificate of registry (this fee to be exclusive of fees on declarations)	2	50

at any port in the Ottoman dominions, namely, on her entry inwards, 5s., and on her clearance outwards (including a bill of health, if required), 5s."

	FEES.	
	Dols.	c.
For recording a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	2	50
For recording the transfer of a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	1	50
For recording the discharge of a mortgage of a ship, or shares in a ship, made under a certificate of mortgage	2	0
For every sale of a ship, or shares in a ship, made before the consul under a certificate of sale	2	50
For inspection of the register book of transactions in ships ...	0	25
For every seaman engaged before the consul	0	50
For every alteration in agreements with seamen made before the consul	0	50
For every seaman discharged or left behind with the consul's sanction	0	50
For every desertion certified by the consul	0	50
For attesting a seaman's will	0	50
For examination of provisions or water, to be paid by the party who proves to be in default	2	50
For every salvage bond made in pursuance of 17 & 18 Vict. c. 104, s. 488, to be paid by the master or owner of the property salvaged	10	0
On disbursements in respect of distressed seamen, a commission of	2½ per cent.	

PART II.

Fees to be taken in respect of matters in which the consul's interposition is to be given only when required by the parties interested.

<i>Matter in respect of which the fee is to be taken.</i>	FEE.	
	Dols.	c.
For noting a protest, with certified copy if required	1	0
For order of survey, with certified copy if required	1	0
For extending a protest or survey, with certified copy if required	5	0
And, if it exceeds 200 words, for every additional 100 words	0	50
For preparing and attesting bottomry or arbitration bond	5	0
For attesting bottomry or arbitration bond not prepared by consul	1	0
For attendance out of consular office at a shipwreck, or for the purpose of assisting a ship in distress, or of saving wrecked goods or property, over and above travelling expenses, per diem	5	0
For attending valuation of goods, if under £200 in value	2	50
For attending valuation of goods if £200 and upwards in value, for every day's attendance during which the valuation continues	5	0
For attending sale of goods, if the purchase money is under £200	5	0

	FEE.	
	Dols.	c.
For attending sale of goods if the purchase money is £200 or upwards, for every day during which the sale continues ...	10	0
Certificate of due landing of goods exported from the United Kingdom	2	0
Bill of health	2	50
Visé of passport	0	50
Opening of will of a British subject, not being a seaman ...	5	0
Management of property of a British subject, not being a seaman, dying intestate, a commission of	2½	per cent.
Registration of documents or other matters	0	50
And, if exceeding 100 words, for every additional 100 words ...	0	10
For every certified copy of a document not before mentioned ...	0	50
And, if it exceeds 100 words, for every additional 100 words ...	0	10
For administering an oath or declaration, including attestation of signature if required	0	50
For attesting a signature	0	50
For annexing the seal of office and signature to any document not mentioned in, or otherwise provided for by, this Table...	1	0

Note 1.—No fee is to be taken for the custody of, or endorsement on, ship's articles and papers deposited with the consul in pursuance of the Merchant Shipping Act, 1854, s. 279.

Note 2.—Where any fee is fixed by the foregoing tables for any particular act or transaction, no additional fee is to be demanded for signature, attestation, or annexing seal of office.

YORK-ANTWERP RULES OF AVERAGE.

I. *Jettison of Deck Cargo.*—No jettison of deck cargo shall be made good as general average. Every structure not built in with the frame of the vessel shall be considered to be part of the deck of the vessel.

II. *Damage by Jettison.*—Damage done to goods or merchandise by water which unavoidably goes down a ship's hatches opened, or other opening made for the purpose of making a jettison, shall be made good as general average in case the loss by jettison is so made good. Damage done by breakage and chafing, or otherwise from derangement of stowage consequent upon a jettison, shall be made good as general average in case the loss by jettison is so made good.

III. *Extinguishing Fire on Shipboard.*—Damage done to

a ship and cargo, or either of them, by water or otherwise, in extinguishing a fire on board the ship, shall be general average; except that no compensation be made for damage done by water to packages which have been on fire.

IV. *Cutting away Wreck*.—Loss or damage caused by cutting away the wreck or remains of spars, or of other things which have previously been carried away by sea-peril, shall not be made good as general average.

V. *Voluntary Stranding*.—When a ship is intentionally run on shore, because she is sinking or driving on shore or rocks, no damage caused to the ship, the cargo, and the freight, or any or either of them, by such intentional running on shore, shall be made good as general average.

VI. *Carrying Press of Sail*.—Damage occasioned to ship or cargo by carrying a press of sail shall not be made good as general average.

VII. *Port of Refuge Expenses*.—When a ship shall have entered a port of refuge under such circumstances that the expenses of entering the port are admissible as general average, and when she shall have sailed thence with her original cargo, or a part of it, the corresponding expenses of leaving such port shall likewise be admitted as general average; and whenever the cost of discharging cargo at such port is admissible as general average, the cost of reloading and stowing such cargo on board the said ship, together with all storage charges on such cargo, shall likewise be so admitted.

VIII. *Wages and Maintenance of Crew in Port of Refuge*.—When a ship shall have entered a port of refuge under the circumstances defined in Rule VII., the wages and cost of maintenance of the master and mariners, from the time of entering such port until the ship shall have been made ready to proceed upon her voyage, shall be made good as general average.

IX. *Damage to Cargo in Discharging*.—Damage done to cargo by discharging it at a port of refuge shall not be admissible as general average, in case such cargo shall have

been discharged at the place and in the manner customary at that port with ships not in distress.

X. *Contributory Values*.—The contribution to a general average shall be made upon the actual values of the property at the termination of the adventure, to which shall be added the amount made good as general average for property sacrificed; deduction being made from the shipowner's freight and passage-money at risk, of such port charges and crew's wages as would not have been incurred had the ship and cargo been totally lost at the date of the general average act or sacrifice; deduction being also made from the value of the property of all charges incurred in respect thereof subsequently to the arising of the claim to general average.

XI. *Loss of Freight*.—In every case in which a sacrifice of cargo is made good as general average, the loss of freight (if any) which is caused by such loss of cargo shall likewise be so made good.

XII. *Amount to be made good for Cargo*.—The value to be allowed for goods sacrificed shall be that value which the owner would have received if such goods had not been sacrificed.

DECLARATION BETWEEN GREAT BRITAIN AND DENMARK,
RELATIVE TO THE DISPOSAL OF THE ESTATES OF
DECEASED SEAMEN OF THE TWO NATIONS.—SIGNED AT
LONDON, APRIL 11, 1877.

The Government of her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of his Majesty the King of Denmark, being desirous to make arrangements as to the disposal of the estates of deceased seamen of the two nations in certain cases, the undersigned, duly authorized to that effect, have agreed as follows:—

Article I.

If any British seaman dies on board a Danish ship, or whilst serving on board a Danish ship within Danish territory; or if, on the other hand, any Danish seaman dies on board a British vessel within British territory, the Governments of Denmark and of Great Britain respectively shall provide as far as possible for the protection, without loss or injury, of any estate belonging to such deceased seaman.

In the case of a British seaman dying as aforesaid, the Danish Government shall cause the estate, if not exceeding £50 in value, to be delivered, as soon as possible after the decease, to the British consul at the Danish port where the decease occurs; or if the decease does not occur at a Danish port, but on Dutch territory, to the British consul nearest to the place where such decease occurs, or where the estate may be; or if such decease occurs at sea on board a Danish vessel, to the British consul at the first Danish port at which the vessel arrives after such decease.

In the case of a Danish seaman dying as aforesaid, his estate, if not exceeding £50 in value, shall, subject to the provision contained in Article II., be delivered by the British Government, as soon as possible, to the Danish consul of the district to which the vessel may belong.

When the estate exceeds £50 in value, in the event of there being no person at hand who, within the period of six months, proves to be rightfully entitled to administer to the estate of the deceased seaman, the consuls-general or consuls of either state in whose jurisdiction such decease shall take place shall, subject to the provision contained in Article II., have the power to take possession of and administer to the estate of such deceased seaman.

If any British seaman, whilst serving on board a Danish ship, dies within British territory; or if, on the other hand, any Danish seaman, whilst serving on board a British ship,

dies within Danish territory—then the estate (if any) belonging to such deceased seaman shall, after deducting the expenses incurred, be paid over to the nearest consul of the nation to which the ship belongs, in order that he may cause it to be, under observation of the aforesaid regulations, delivered to the competent authority in the country of the deceased seaman.

In the event of a seaman of one nation serving on board a ship of the other nation, and dying in the territory of a third nation, any estate of such deceased seaman (which may have been received by the consul at the port where such death may have taken place, of the nation to which the ship belongs) shall, after deducting the expenses incurred, be paid over to the consul of the other nation at the same port.

In cases where a deceased seaman has signed articles either as a Danish or as a British subject, as the case may be, but the Government into whose possession his estate comes is not satisfied of his nationality, that Government shall equally protect his estate, and shall send an account of it, and its value, and of all information in the possession of that Government relating to the deceased, to the other Government as soon as possible, and shall deliver the estate to the other Government immediately on receiving its assurance that there is no doubt that the deceased was a subject of it.

Article II.

If the deceased shall have served in the royal navy of Great Britain, any assets which may be payable by the British Admiralty shall be dealt with according to the law of Great Britain.

Article III.

The term “seaman” in this declaration includes every person (except masters and pilots) employed or engaged in

any capacity on board any merchant ship, or who has been so employed or engaged within six months before his death, and every person (not being a commissioned, warrant, or subordinate officer, or assistant engineer) borne on the books of, or forming part of the complement of, any public ship of war.

The term "estate" includes all "property, wages due, money, and other effects" left by a deceased seaman on board a ship.

The term "consul" includes consul-general, consul, and vice-consul, and every person for the time being discharging the duties of consul-general, consul, or vice-consul.

In witness whereof the undersigned have signed the present declaration, which shall come immediately into operation, and have affixed thereto the seal of their arms.

Done at London, this 11th day of April, 1877.

(L.S.)

DERBY.

(L.S.)

J. V. BÜLOW.

DECLARATION BETWEEN GREAT BRITAIN AND ITALY RELATIVE TO THE DISPOSAL OF THE ESTATES OF DECEASED SEAMEN OF THE TWO NATIONS.—SIGNED AT LONDON, APRIL 17, 1877.

The Government of her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of his Majesty the King of Italy, being desirous to make arrangements as to the disposal of the property of deceased seamen of the two nations in certain cases, the undersigned, duly authorized to that effect, have agreed as follows:—

Article I.

If any British seaman dies on board an Italian ship, or whilst serving on board an Italian ship within Italian territory; or if, on the other hand, any Italian seaman dies

on board a British vessel, or whilst serving on board a British vessel within British territory, the Governments of Italy and of Great Britain respectively shall provide as far as possible for the protection, without loss or injury, of any money or effects belonging to such deceased seaman.

In the case of a British seaman dying as aforesaid, the Italian Government shall cause the property, if not exceeding £50 in value, to be delivered as soon as possible after the decease to the British consul at the Italian port where the decease occurs; or if the decease does not occur at an Italian port, but on Italian territory, to the British consul nearest to the place where such decease occurs, or where the property may be; or if such decease occurs at sea on board an Italian vessel, to the British consul at the first Italian port at which the vessel arrives after such decease.

In the case of an Italian seaman dying as aforesaid, his property, if not exceeding £50 in value, shall, subject to the provision contained in Article II., be delivered, as soon as possible after the decease, to the Italian consul at the British port where the decease occurs; or if the decease does not occur at a British port, but on British territory, to the Italian consul nearest to the place where such decease occurs, or where the property may be; or if such decease occurs at sea on board a British vessel, to the Italian consul at the first British port at which the vessel arrives after such decease.

When the property exceeds £50 in value, it shall, subject to the provision contained in Article II., be paid to the legal representative of the deceased according to the law of the nation of the ship or territory where the property is at the time of the decease.

In cases where a deceased seaman has signed articles either as an Italian or as a British subject, as the case may be, but the Government into whose possession his effects come is not satisfied of his nationality, that Government shall equally protect his property, and shall send an account of it, and its value, and of all information in the possession

of that Government relating to the deceased, to the other Government as soon as possible, and shall deliver the property to the other Government immediately on receiving its assurance that there is no doubt that the deceased was a subject of it.

Article II.

If the deceased shall have served in the royal navy of Great Britain, any assets which may be payable by the British Admiralty shall be dealt with according to the law of Great Britain.

Article III.

The term "seaman" in this declaration includes every person (except masters and pilots) employed or engaged in any capacity on board any merchant ship, or who has been so employed or engaged within six months before his death, and every person (not being a commissioned, warrant, or subordinate officer, or assistant engineer) borne on the books of, or forming part of the complement of, any public ship of war.

The term "consul" includes consul-general, consul, vice-consul, and consular agent, and every person for the time being discharging the duties of consul-general, consul, vice-consul, or consular agent.

In witness whereof the undersigned have signed the present declaration, which shall come immediately into operation, and have affixed thereto the seal of their arms.

Done at London, the 17th day of April, 1877.

(L.S.) DERBY.

(L.S.) R. DE MARTINO.

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